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LCB 11

PALESTINE GOVERNMENT.

11
1183/75

International Labour Conference



שם תיק: International Labour Conference

מזהה פנימי: מ-1183/75

מזהה פריט: 00103W6

כתובת: 2-108-1-6-6 תאריך הדפסה: 10/02/2021

מדינת ישראל
גנזך המדינה

1183

מ

אדף ישראל
ממשלת המנדט

(63)

Circular despatch of 30/1 mentioned in fol. 60₂ has not been sent to this office. Spoken to the Registry of the Secretariat (Mr. Sperling). Promised to send the paper as soon as the file, which is in action, returns to him. 26.7.23

LS

(64)

Ref. 62

Mr. Sperling reminded on 6/8 and 12/8. The file is still in action.

LS
12/8(65) ~~(64)~~Ref. 62863

Spoken to Mr. Sperling. The file cannot be found at the Secretariat. Both the file and card of the Registry are missing.

LS
24/8/23

(70)

Q.Ref. fol. 69

I think no action is required.

LS
3/1

Handwritten text in a cursive script, likely a letter or document. The text is faint and mostly illegible due to fading and bleed-through from the reverse side. Some words are partially visible, such as "I have" and "the" in the first line.

(11)

Handwritten text in a cursive script, likely a letter or document. The text is faint and mostly illegible due to fading and bleed-through from the reverse side. Some words are partially visible, such as "I have" and "the" in the first line.

Government of Palestine

69

Chief Secretary's Office,
Jerusalem,
Palestine.

Number I/280/31.

22 December, 1933.

To Director,

Department of Immigration.

Reference to previous correspondence:

Lab/1/2

31

The undermentioned documents are forwarded herewith for ^{information} ~~SECRET~~ and ^{retention} ~~SECRET~~.

2 for CHIEF SECRETARY

Subject International Labour Conventions.

Date	Reference No.	Description
29th November, 1933.	-	Secretary of State's Circular with enclosure.

69a
C O P Y .

CIRCULAR.

DOWNING STREET,

29th November, 1933.

(6/a)
Sir,

With reference to my Circular despatch of the 26th of November, 1932, I have the honour to transmit to you the accompanying copies of reports in respect of the year ended September, 1933, which have been prepared for communication to the International Labour Office, in regard to the application to the Colonies, Protectorates, and Mandated Territories of the International Conventions which have been ratified in respect of the United Kingdom.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

P.CUNLIFFE-LISTER.

THE HIGH COMMISSIONER
FOR PALESTINE.

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ANNUAL REPORTS.

for the period 1st October, 1932 to 30th September, 1933, in accordance with Article 408 of the Treaty of Versailles, Article 353 of the Treaty of Saint-Germain, Article 270 of the Treaty of Neuilly, Article 336 of the Treaty of Trianon, from the Government of the United Kingdom of Great Britain and Northern Ireland on the measures taken to give effect to the Conventions, ratification of which has been communicated to the Secretary-General of the League of Nations.

Section III. APPLICATION TO THE COLONIES, Protectorates and possessions which are not fully self-governing.

Convention No. 2 concerning Unemployment. (Thirteenth Annual Report).

The position as regards the Colonies, etc., is as stated in the eleventh annual report.

Convention No. 4. concerning the Employment of Women during the Night. (Eleventh Annual Report).

Legislation applying the provisions of the Convention has been enacted in the following additional dependencies:-

<u>Kenya.</u>	Ordinance 14 of 1933.
<u>Gambia.</u>	Ordinance 14 of 1933.
<u>Northern Rhodesia.</u>	Ordinance 10 of 1933.
<u>Nedah</u>	Enactment 19 of 1351.
<u>Perlis.</u>	Enactment 10 of 1351.
<u>Sarawak.</u>	Order L - 2 of 1933 (with the modification that "night" is defined as the interval between 10 p.m. and 5 a.m.)
<u>Gibraltar.</u>	Ordinance 16 of 1932.
<u>British Guiana.</u>	Ordinance 14 of 1933. The Ordinance has, however, not yet been brought into force.
<u>British Honduras.</u>	Ordinance 12 of 1933.

Convention No. 5 fixing the Minimum age for the Admission of Children to Industrial Employment. (Eleventh Annual Report).

Legislation applying the provisions of the Convention has now been enacted in the following additional dependencies:-

<u>Kenya.</u>	Ordinance 14 of 1933 (with the modification that, except in the case of children employed in attendance on machinery or in a mine, the age limit is 12 instead of 14).
<u>Gambia.</u>	Ordinance 14 of 1933.
<u>Northern Rhodesia.</u>	Ordinance 10 of 1933, (with the modification that the minimum age is 12 instead of 14. It is, however, provided by Section 8 that no one between the ages of 12 and 14 shall be employed in an industrial undertaking unless the employment has been authorised by a licence issued by the Governor, and the issue of such licence may be made subject to conditions prescribed by regulations).
<u>Jamaica.</u>	Ordinance 12 of 1933, (with the modification that the minimum age is 12 instead of 14).

British Guiana.

Ordinance 14 of 1933, (with the modification that the minimum age is 12 instead of 14). The Ordinance has not yet been brought into force.

Gibraltar.

Ordinance 16 of 1932.

British Honduras.

Ordinance 12 of 1933.

Sarawak.

Order L - 6 of 1933.

In Trinidad,

(as to which see the note in the Tenth Annual Report), the Convention is now applied without modification (Ordinance 8 of 1933).

Note: In the reference to Nigeria in the Tenth Annual Report it should have been stated that the Convention had been applied with the modification that the Ordinance does not apply to an industry of a kind which is customarily carried on by natives of Nigeria in their own homes, provided that any machinery used is set and kept in motion by hand or foot power only.

Convention No. 6 concerning the Night Work of Young Persons employed in industries. (Eleventh Annual Report).

Legislation applying the provisions of the Convention has now been enacted in the following additional dependencies:-

Kenya.

Ordinance 14 of 1933 (with the modification that in the case of boys the age limits are the same as in the case of employment during the day).

Gambia.

Ordinance 14 of 1933.

Northern Rhodesia.

Ordinance 10 of 1933.

Gibraltar.

Ordinance 16 of 1932.

Kedah.

Enactment 19 of 1951.

Perlis.

Enactment 10 of 1951.

Sarawak.

Order L - 6 of 1933 (with the modification that "night" is defined as the interval between 10 p.m. and 5 a.m.)

British Guiana.

Ordinance 14 of 1933 (with the modification that the age limit is 16 instead of 18). This Ordinance has, however, not yet been brought into force.

Trinidad.

Ordinance 8 of 1933. The Ordinance has however not yet been brought into force.

British Honduras.

Ordinance 12 of 1933.

Convention No. 7 fixing the Minimum Age for Admission of Children to Employment at Sea. (Eleventh Annual Report).

Legislation applying the provisions of the Convention has been enacted in the following additional dependencies:-

Kenya.

Ordinance 14 of 1933 (with the modification that a child under 14 may be employed in a native vessel or under the care of a relative who is a member of the crew of the vessel, if such relative is, in the opinion of an officer appointed by the Governor for the purpose, a fit and proper person to have charge of such child.

<u>Gambia.</u>	Ordinance 14 of 1933.
<u>Nigeria.</u>	Ordinance 12 of 1933.
<u>Trinidad.</u>	Ordinance 8 of 1933. This Ordinance has not yet been brought into force.
<u>British Guiana.</u>	Ordinance 14 of 1933 (with the modification that the age limit is 12 instead of 14). The Ordinance has however not yet been brought into force.
<u>British Honduras.</u>	Ordinance 12 of 1933.
<u>Gibraltar.</u>	Ordinance 16 of 1932.
<u>Straits Settlements.</u>	Ordinance 8 of 1933.
<u>Federated Malay States.</u>	Gazette Notification No. 7010 of 23rd September, 1932.
<u>Sarawak.</u>	Order L - 6 of 1933.

Convention No. 8 concerning Unemployment Indemnity in case of loss or foundering of the ship. (Seventh Annual Report).

Legislation applying the provisions of the Convention has been enacted in the following additional dependency:-

<u>Sarawak.</u>	Order L - 6 of 1933.
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Convention No. 11 concerning the Rights of Association and Combination of Agricultural Workers. (Tenth Annual Report).

The position as regards the Colonies, etc., is as stated in the eighth annual report.

Convention No. 12 concerning Workmen's Compensation in Agriculture. (Tenth Annual Report).

Convention No. 13 concerning Workmen's Compensation for Occupational Diseases. (Sixth Annual Report).

Convention No. 19 concerning Equality of Treatment for National and Foreign Workers as regards Workmen's Compensation for Accidents. (Seventh Annual Report).

During the period under review the position as regards the application to the Colonies, etc., of these three Conventions as set out in the reports for 1931 and 1932 was unchanged.

The legislation of the Straits Settlements and the Federated Malay States has, however, now been brought into operation with effect from the 1st of October, 1933.

The question of introducing similar legislation in Johore and Kedah is under consideration.

Convention No. 15 concerning the Minimum Age for the admission of Children to Employment as Trimmers or Stokers. (Seventh Annual Report).

Legislation applying the provisions of the Convention has been enacted in the following additional dependencies:-

<u>Kenya.</u>	Ordinance 14 of 1933.
<u>Straits Settlements.</u>	Ordinance 8 of 1933.
<u>Sarawak.</u>	Order L - 6 of 1933.

Convention No. 16 concerning the Compulsory Medical Examination of Children and Young Persons employed at Sea. (Seventh Annual Report).

Legislation applying the provisions of the Convention has been enacted in the following additional dependencies.

<u>Straits Settlements.</u>	Ordinance 8 of 1933.
<u>Sarawak.</u>	Order L - 6 of 1933.

Convention No.22 concerning Seamen's Articles of Agreement.
(Fourth Annual Report).

There has been no change in the position as regards the application of this Convention to the Colonies, etc., since the Third Annual Report.

Conventions Nos. 24 and 25 concerning Sickness Insurance.

(a) For Workers in Industry and Commerce and Domestic Servants (Third Annual Report).

(b) For Agricultural Workers (Third Annual Report).

The position as regards these two Conventions in relation to the Colonies, etc., is as stated in the First Annual Report.

Convention No.26 concerning the Creation of Minimum Wage Fixing Machinery. (Fourth Annual Report).

Legislation of a simple character has been enacted in the following dependencies in addition to those mentioned in previous reports:-

<u>Gambia.</u>	Ordinance 14 of 1933.
<u>Gold Coast.</u>	Ordinance 23 of 1932.
<u>Northern Rhodesia.</u>	Ordinance 27 of 1932
<u>Falkland Islands.</u>	Ordinance 6 of 1932.
<u>British Solomon Islands.</u>	Ordinance 8 of 1932.
<u>Gilbert and Ellice Islands.</u>	Ordinance 8 of 1932.
<u>Gibraltar.</u>	Ordinance 11 of 1933.
<u>Seychelles.</u>	Ordinance 22 of 1933.
<u>North Borneo.</u>	Gazette Notification No.275 of 1932 amending the Labour Ordinance, 1929.
<u>Sarawak.</u>	Order L - 8 of 1933 (in addition to the legislation referred to in the third annual report).

In Kedah and Perlis the Enactments (Nos.2 and 11 of 1945) referred to in the second annual report, have been supplemented by Enactments (Nos. 19 and 10 of 1951 respectively) which relate to payment of fines for issuing less than a standard wage, and publication to the labourers of the standard rates of wages.

LAB/1/2

18 October, 3.

THE CHIEF SECRETARY.

Subject :- International Labour Conventions

Reference:- I/280/31 of 19.9.33, 3.1.33 and
28.7.32.

No change with regard to application of International Labour conventions has occurred since the date of your confidential despatch to the Secretary of State I/280/31 of 23rd July 1932 and the earlier confidential despatch of even number of 19th December, 1931.

It is, therefore, suggested that the survey of international conventions contained in para 2, Section XVII of the Annual Report for the year 1931, be repeated.

DIRECTOR

LS/SMO

Government of Palestine

67

Chief Secretary's Office,
Jerusalem,
Palestine.

Received on 20. SEP 1933 File No. Lab/1/2

Number I/280/31.

To Director,
Department of Immigration.

19 September, 1933.

Reference to previous correspondence:

Your letter No.LAB/1/2 dated 16th September, 1933.

The undermentioned documents are forwarded herewith for ^{information} ~~XXXXXXXX~~ and ^{attention} ~~XXXXXXXX~~

for CHIEF SECRETARY

Subject

International Labour Conventions.

Date	Reference No.	Description
30th January, 1932.	CIRCULAR.	Despatch from Secretary of State with enclosures.
		For enclosure See fol. 60 & 60 a. 70438

LAB/1/2

66
16 September

3

THE CHIEF SECRETARY.

Subject :- International Labour Conventions.
Reference :- I/280/31 of 3.1.33, accompanying
circular despatch from the Colonial
Office of 26.11.32.

Reference is made in this circular
to the circular despatch of 30.1.32,
which has not been received by me.

To enable me to reply to your
circular under reference, please trans-
mit that of 30.1.32.

(Signed) A. M. HYAMSON
DIRECTOR.

PA

ANH/LK.

Circular of 30.1.32
received on 19.9.33.
See fol. 60a.



1. The first part of the report is a general statement of the purpose and scope of the study.

2. The second part is a description of the methods used in the study.

3. The third part is a description of the results of the study.

4. The fourth part is a discussion of the results and their implications.

The first part of the report is a general statement of the purpose and scope of the study. The purpose of the study is to determine the effect of the new teaching method on the learning of the subject. The scope of the study is limited to the first year of the high school.

The second part is a description of the methods used in the study. The study was conducted in a high school in the city of New York. The subjects of the study were the first year students. The study was conducted over a period of six months.

The third part is a description of the results of the study. The results of the study show that the new teaching method had a significant effect on the learning of the subject.

4. The fourth part is a discussion of the results and their implications.

The results of the study show that the new teaching method had a significant effect on the learning of the subject.

1. Number of persons

Government of Palestine

61

RECEIVED ON
4 JAN 1933
File No. <i>1260/31</i>
Serial No. <i>5</i>

Chief Secretary's Office,
Jerusalem,
Palestine.

Number I/260/31.

January, 1933.

To Director, Department of Immigration,

Reference to previous correspondence:

The undermentioned documents are forwarded herewith for ^{information} ~~for~~ ~~XXXXXX~~ and ^{retention} ~~XXXXXX~~ ~~XXXXXX~~.

E. Mills.
~~XXXXXX~~
A
~~XXXX~~ CHIEF SECRETARY

Subject Application to the non-self-governing dependencies
of the International Labour Conventions.

Date	Reference No.	Description
26. 11. 32		Circular despatch from the Colonial Office, with enclosure in original.

1260/31

7. Number of persons

CIRCULAR.

Darwin Street,

26th November, 1932

Sir,

With reference to my Circular despatch of 30th January, I have the honour to transmit to you the accompanying copies of reports in respect of the year 1932, which have been prepared for communication to the International Labour Office, in regard to the application to the Colonies, Protectorates, and Mandated Territories of the International Labour Conventions which have been ratified in respect of the United Kingdom. It will be observed that there has been considerable progress in the application of the provisions of these Conventions.

2. The preparation of these reports has again been delayed somewhat owing to the late arrival of reports from certain Colonial Governments. As the reports in regard to the application of these Conventions to the Colonies, etc., are incorporated in the reports on the operation of the Conventions in the United Kingdom, a delay in the transmission of the reports of Colonial Governments renders it impossible for the reports in respect of the United Kingdom to be sent to Geneva at the due date. I therefore trust that it will be found possible for next year's reports to be despatched in time to reach the Colonial Office by the end of August.

3. These observations do not, of course, apply in the case of the Convention relating to Forced Labour. As the reports on the operation of that Convention in the Dependencies where forced labour is employed will have to include detailed information and statistics in respect of the year ending 30th September, they clearly cannot be compiled before that date. They should however be transmitted as soon as possible after that date.

4. As regards the reports themselves, there is still a tendency on the part of a number of Colonial Governments to state that a Convention has been "applied" when it has in fact been "applied with modifications." In a few cases in which the statements of Colonial Governments have not been verified by reference to the actual legislation in

The Officer Administering
the Government of

operation, the International Labour Office has drawn attention to incorrect statements which have appeared in the reports rendered by His Majesty's Government. Having regard to the fact that it is necessary annually to review the operation of 17 Conventions in respect of upwards of 50 separate Dependencies, it is very desirable that the phraseology employed in the reports rendered by Colonial Governments should be accurate.

5. It is also the practice of some Colonial Governments to include in their annual reports the drafts of Bills or Regulations by which it is proposed to give effect to these Conventions. From the point of view of the convenience of the Colonial Office in dealing with these matters it is preferable that any such proposals should be submitted in separate despatches.

I have the honour to be,

Sir,

Your most obedient, humble servant,

P. CUNLIFFE-LISTER.



ANNUAL REPORTS.

for the period 1st October, 1931 to 30th September, 1932 in accordance with Article 408 of the Treaty of Versailles, Article 353 of the Treaty of Saint-Germain, Article 270 of the Treaty of Neuilly, Article 336 of the Treaty of Trium, from the Government of the United Kingdom of Great Britain and Northern Ireland on the measures taken to give effect to the Conventions, ratification of which has been communicated to the Secretary General of the League of Nations.

Section III APPLICATION TO THE COLONIES protectorates and possessions which are not fully self-governing.

1. Convention concerning Unemployment. (Twelfth Annual Report)

The Position as regards the Colonies &c. is as stated in the eleventh annual report.

2. Convention concerning the Employment of Women during the Night. (Tenth Annual Report)

In certain of the dependencies mentioned in the ninth annual report, further legislation relating to the provisions of this Convention has now been enacted. The particulars of the legislation in force in the under-mentioned dependencies should therefore be amended to read as follows:-

x

Nigeria (including the Cameroons under British mandate) Ordinance 1 of 1929 as amended by Ordinance 17 of 1932.

x

Gold Coast (including Togoland under British mandate). 1928 Edition Cap. 101 as amended by Ordinance 9 of 1932.

x

(The provisions under which undertakings employing not more than ten men or women were exempted have now been repealed).

Hong Kong Ordinance 27 of 1932. (By a regulation under this Ordinance the employment of women is prohibited in any industrial undertaking between 9 p.m. and 7 a.m.).

Gilbert and Ellice Islands Colony. Ordinance 5 of 1931.

British Solomon Islands Protectorate King's Regulation 10 of 1931.

The note in the ninth annual report in regard to Trinidad should have been qualified by the statement that undertakings employing not more than 10 men or women are exempted. It is proposed to repeal this exemption at a convenient opportunity.

In addition to the dependencies mentioned in the ninth annual report, the Convention has now been applied in the under-mentioned dependencies:-

Uganda. Ordinance 32 of 1931. (With the modification that "night" is defined as a period between 10 p.m. and 5 a.m. An amending Ordinance will be introduced in due course.).

Zanzibar. Ordinances 2 of 1932.

Federated Malay States. Enactment 9 of 1932.

Johore. Enactment 3 of 1932.

Brunei. Enactment 4 of 1932.

North Borneo Gazette notification 156/1932.

Seychelles. Ordinance 12 of 1932.

British Honduras. Ordinance No. 21 of 1931. (With modification that undertakings in which not more than ten men or women are employed are exempted).

3. Convention fixing the minimum age for admission of Children to industrial employment. (Tenth Annual Report).

In certain of the dependencies mentioned in the ninth annual report, further legislation relating to the provisions of this Convention has now been enacted. The particulars of the legislation in force in the under-mentioned dependencies should therefore be amended to read as follows:-

Cyprus Ordinance 16 of 1932. (The minimum age has been raised to 14 years.)

Hong Kong Ordinance 27 of 1932 (Under Regulations made under this Ordinance, no child under 12 years of age may be employed in any industrial undertaking. Further, no child under 16 years (previously 15 years) may be employed in a dangerous "trade (boiler chipping, manufacture of fireworks, glass working, lead processes, or vermilion manufacture). No child under 16 years (previously 15 years) is allowed to work in any industrial undertaking for more than 5 hours continuously or for more than 9 hours in 24).

North Borneo Gazette notification 77/1931.

Gilbert and Ellice Islands Colony. Ordinance 5 of 1931.

The note in the ninth annual report in regard to Trinidad should have been qualified by the statement that the age limit is 12 instead of 14.

Similarly, in the note in regard to Palestine, it should have been stated that, for occupations other than those of the kinds mentioned, the minimum age for the employment of children is 12.

In addition to the dependencies mentioned in the ninth annual report, the Convention has now been applied in the under-mentioned dependencies:-

Zanzibar Decree 2 of 1932.

Nigeria (including the Cameroons under British mandate) Ordinance 17 of 1932.

Gold Coast (including Togoland under British mandate) Ordinance 9 of 1932.

Seychelles Ordinance 12 of 1932.

British Solomon Islands Protectorate King's Regulation 10 of 1931.

Johore Enactment No. 4 of 1932 (By rules under this enactment the Convention is applied with the same modifications as in the Straits Settlements and Federated Malay States, as to which, see the ninth annual report).

British Honduras. Ordinance No. 20 of 1931 (The employment of children under 12 is prohibited; children between the ages of 12 and 14 may not be employed for more than 4 hours in each day.).

4. Convention concerning the night work of young persons employed in industry. (Tenth Annual Report)

In certain of the dependencies mentioned in the ninth annual report, further legislation relating to the provisions of this Convention has now been enacted. The particulars of the legislation in force in the under-mentioned dependencies should therefore be amended to read as follows:-

Cyprus Ordinance 16 of 1932. (The age has been raised to 18 years)

Hong Kong Ordinance 27 of 1932. (By a Regulation under this Ordinance the employment of young persons under the age of 18 is prohibited between 9 p.m. and 7 a.m.)

Federated Malay States Enactment 9 of 1932.

In addition to the dependencies mentioned in the ninth annual report, the Convention has now been applied in the under-mentioned dependencies:-

Zanzibar Decree 2 of 1932.

Nigeria (including Cameroons under British mandate) Ordinance 17 of 1932.

Gold Coast (including Togoland under British mandate) Ordinance 9 of 1932.

Jamaica Law 5 of 1932. }
British Honduras. Ordinance 20 of 1931. } With the
modification that the age limit is 16
years instead of 18, and that in the case
of Jamaica the prohibition extends to a
period of 10 hours instead of 11).

Jonore Enactment 4 of 1932.

Brunei Enactment 4 of 1932.

North Borneo Gazette Notification 156/1932.

Seychelles Ordinance 12 of 1932.

Gilbert and Ellice Islands Colony. Ordinance 5 of
1931.

British Solomon Islands Protectorate. King's
Regulation 10 of 1931.

5. Convention fixing the minimum age for admission of
children to employment at sea. (Tenth Annual Report).

In certain of the dependencies mentioned in the ninth
annual report, further legislation relating to the
provisions of this Convention has now been enacted. The
Particulars of the legislation in force in the under-
mentioned dependencies should therefore be amended to read
as follows:-

Gilbert and Ellice Islands Colony. Ordinance 5
of 1931.

The reference to the Gold Coast in the ninth annual report
should be amended to read "Gold Coast (including Togoland
under British Mandate)."

In addition to the dependencies mentioned in the ninth
annual report, the Convention has now been applied in the
under-mentioned dependencies:-

Zanzibar Decree 2 of 1932. (With the modification
that a child may be employed on a native
vessel or fishing boat if he is under the
care of an adult relative who is the master
or a member of a crew and is in possession
of a certificate from the Port Officer to
the effect that he is a fit and proper
person to have charge of such child.).

Cyprus Ordinance 16 of 1932.

Jamaica Law 5 of 1932. }
British Honduras. Ordinance 20 of 1931. } (These Laws do
not however include a provision correspond-
ing to Article 4 of the Convention).

Hong Kong Ordinance 13 of 1932. (With modification
similar to that adopted in Zanzibar)

Seychelles Ordinance 12 of 1932.

British Solomon Islands Protectorate. King's
Regulation 10 of 1931.

6. Convention concerning Unemployment Indemnity in case of loss or foundering of the ship. (Sixth Annual Report)

In addition to the dependencies mentioned in the fifth annual report, this Convention has now been applied in the Federated Malay States by Enactment 24 of 1932.

7. Convention concerning the rights of association and combination of agricultural workers. (Ninth Annual Report)

The position as regards the Colonies etc. is as stated in the eighth annual report.

9. Convention fixing the minimum age for the admission of children to employment as trimmers or stokers. (Sixth Annual Report)

In addition to the dependencies mentioned in the fifth annual report, this Convention has now been applied in Zanzibar by Decree 2 of 1932.

10. Convention concerning the compulsory medical examination of children and young persons employed at sea. (Sixth Annual Report)

The position as regards the Colonies &c. is as stated in the fifth annual report.

8. Convention concerning Workmen's Compensation in Agriculture. (Ninth Annual Report)

11. Convention concerning Workmen's Compensation for Occupational Diseases. (Fifth Annual Report)

12. Convention concerning Equality of Treatment for National and Foreign Workers as regards Workmen's Compensation for Accidents. (Sixth Annual Report)

The position as regards the application to the Colonies etc. of these three Conventions as set out in last year's report is unchanged.

It may however be mentioned that the Bill which was under consideration in the Straits Settlements has now been passed (Ordinance 9 of 1932). An amending Enactment (17 of 1932) has also been passed in the Federated Malay States, thus bringing the Enactment into conformity with the Ordinance passed in the Colony. In neither case however have these laws yet been brought into operation. When this legislation comes into force its effect in relation to these three Conventions will be as follows:-

- (a) The Convention relating to Workmen's Compensation in Agriculture will be applied in the case of agricultural labourers on estates or plantations employing not less than 50 labourers.
- (b) The convention concerning workmen's compensation for occupational diseases will also be applied. The question as to what diseases will be covered is however still under consideration and it is possible that the lists of diseases in these laws may be modified before the laws are brought into operation.
- (c) The convention concerning equality of treatment for national and foreign workers as regards

workmen's compensation for accidents will also be applied. There is however a condition as to residence in the case of compensation payable to dependents, but this condition applies equally to national and foreign workers.

13. Convention concerning Seamen's Articles of Agreement.
(Third Annual Report)

Legislation relating to the matters dealt with in this Convention exists in the under-mentioned dependencies, in addition to those mentioned in the second annual report.

Bermuda. Article 25 of 1930.

Leeward Islands. Revised Laws 1927. Cap. 143.

Hong Kong. Ordinance 10 of 1899.

Federated Malay States Enactment 24 of 1933.

Tonga. Laws. Ch. 60.

14 & 15. Conventions concerning Sickness Insurance.

(a) For workers in Industry and Commerce and Domestic Servants. (2nd Annual Report)

(b) For Agricultural Workers. (2nd Annual Report).

The position as regards these two Conventions in relation to the Colonies etc. is as stated in the first annual report.

16. Convention concerning the creation of minimum wage fixing machinery. (Third Annual Report)

The particulars given in the second annual report of the legislation already in operation in the Colonies etc. should be amended by the addition of the following provision:

Sarawak. Ordinance L-3 (Labour Protection) 1927
Section 33 (ii) as qualified by Ordinance
L-5 (Labour Emergency) 1930. Section 3
(i) and (ii).

The reference to Section 29 of the Labour Regulation of the British Solomon Islands Protectorate (15 of 1921) should be amended to read Section 58.

In the second annual report it was stated that the question of the enactment of legislation to give effect to the principles of the Convention was under consideration. His Majesty's Government have now come to the conclusion that in the majority of the dependencies the native workers have not yet reached a stage of social development which renders it possible to operate minimum wage fixing machinery in the manner contemplated in the Convention, especially in regard to the association of representatives of the workers in the operation of the machinery. Nevertheless legislation of a simple character, suited to the local conditions has now been enacted in the under-mentioned dependencies:-

Kenya. Ordinance 22 of 1932.

Nigeria (including Cameroons under British mandate)
Ordinance 17 of 1932.

Hong Kong. Ordinance 28 of 1932.

St. Helena. Ordinance 11 of 1932.

Legislation on similar lines is under contemplation in the other dependencies. It has already been decided to introduce such legislation in the following:-

Uganda

Tanganyika Territory

Nyasaland

Northern Rhodesia

Gold Coast

Sierra Leone

Gibraltar

British Honduras

Trinidad

Saint Lucia

Seychelles

Gilbert and Ellice Islands Colony

British Solomon Islands Protectorate

Falkland Islands.



Circular of 30/1/32

enclosure to for. 67

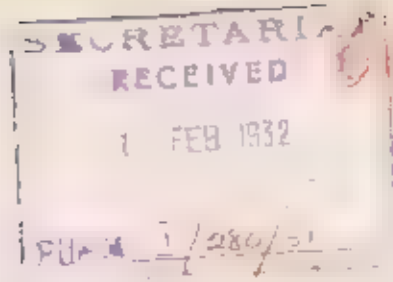
" covering letter

I/280/31 of 19.9.33'

Subject International Labour
Conventions.

Accompanying Circular : 3. 1.32

CIRCULAR.



Downing Street,

30th January, 1932.

Sir,

370

With reference to Lord Passfield's Circular despatch of 2nd April, 1931, I have the honour to transmit to you the accompanying copies of Reports, in respect of the year 1931, which have now been communicated to the International Labour Office in regard to the application to the Colonies, Protectorates, and Mandated Territories, of the International Labour Conventions which have been ratified in respect of the United Kingdom. It will be observed that there has been a marked increase in the number of Dependencies in which legislation applying the provisions of certain of the Conventions has been enacted or is now contemplated.

2. Generally speaking I have been much gratified at the manner in which Colonial Governments have responded to Lord Passfield's request that the applicability of these Conventions should be considered with due regard to the international obligations of His Majesty's Government under Article 421 of the Treaty of Versailles. The reports received from the majority of Colonial Governments are clear and informative and have called for little comment on my part except from the point of view that there is still a fairly general tendency to consider that it is unnecessary to enact legislation to deal with contingencies dealt with in the Conventions but which have not yet arisen (or are unlikely to arise for some time to come) in the Dependency concerned. This tendency accounts for a certain number of the divergencies of view of the kind indicated in paragraphs 14 and 15 of Lord Passfield's Circular despatch of 2nd April, 1931.

3. In a few cases, however, the reports from Colonial Governments were still unsatisfactory in that little or no attempt was made to explain why certain of the Conventions were regarded as inapplicable, or to justify modifications which were proposed

The Officer Administering
the Government of

10/11/32

or had been introduced in the legislation applying the provisions of other Conventions. In a few cases only brief telegraphic reports, in which no reasons were given, had been received at the date when the Report of His Majesty's Government to the International Labour Office had to be prepared.

4. The Officers Administering the Governments of a number of Dependencies have already been addressed in cases where it has seemed doubtful whether certain of the Conventions could justifiably be regarded as "inapplicable", and I have been much gratified at the readiness of Colonial Governments to reconsider the matter in the light of the observations made to them. Owing, however, partly to pressure of work in the Colonial Office and partly to the fact that reports from certain Dependencies had not been received, it has not yet been found possible to complete the necessary review, from this point of view. Moreover, in reviewing the Conventions relating to employment at sea, certain difficulties have been encountered on which I am still in consultation with the Mercantile Marine Department of the Board of Trade. I also find that it will be necessary for me to issue further Circular despatches in regard to the Conventions relating to workmen's compensation for occupational diseases and to minimum-wage fixing machinery.

5. For these reasons it has still not been found possible to prepare the Reports in the form recommended by the Committee of Experts, whose observations formed the enclosure to Lord Passfield's Circular despatch of 16th May, 1931. It will be observed for example that, except in the case of those Conventions which are regarded as generally inapplicable, no attempt has been made to specify the Dependencies to which it is not intended to apply the Conventions, or to give reasons for such non-application, even in cases where final decisions have been taken. For the reasons given above the fact that a particular Dependency is not included in the lists of Dependencies in which legislation is contemplated is not necessarily to be taken as an indication that I am satisfied that the non-enactment of such legislation can be justified.

6. I hope that before the next Report to the International Labour Office has to be prepared it will be possible to deal with all the outstanding questions referred to above and that it will be possible, in the next Report, to furnish all the information desired by the Conference.

7. *Hitherto the Reports rendered by States Members of the International Labour Organization have covered the calendar year and have been required to reach Geneva in January. In future, however, the Reports will be required to reach Geneva in October. In order, therefore, that the information relating to the application of the Conventions to the non-self-governing Colonies, etc., may be available for inclusion in the Reports of His Majesty's Government in the United Kingdom. I have to request that the annual reports of Colonial Governments, in accordance with the last sentence of paragraph 6 of Lord Passfield's Circular despatch (No. 2) of 29th April, 1930, may be despatched in time to reach the Colonial Office by the end of August. As indicated above the non-receipt of previous reports by the due date has been the cause of considerable inconvenience.*

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I have the honour to be,

Sir,

Your most obedient, humble servant,

P. CUNLIFFE-LISTER.

Annual Reports under Art. 406 of the Treaty of Versailles.

Section III. Application of Draft Convention to the Colonies etc.

(1) CONVENTION CONCERNING UNEMPLOYMENT. (Eleventh Annual Report.)

This Convention has not been applied in any of the non-self-governing dependencies. The Convention is based on conditions in highly organised industrial communities and is not applicable to conditions in tropical countries where the majority of the population are peasants, engaged in agricultural pursuits on their own or their tribal lands; or where (as in many cases) wage-earning employment is largely supplemented by such occupations. In the few Colonies which are dependant on imported or immigrant labour, special arrangements are in force for co-ordinating the supply of labour to the local requirements. Except in very exceptional circumstances, there is little "unemployment" as understood in Europe, and when such circumstances arise it is necessary to take special measures to meet them.

(c) Convention concerning employment
of women during the night.

(Ninth Annual Report)

This Convention has been applied in the undermentioned dependencies:-

Nigeria. - Ordinance 1 of 1929)
Sections 56-59) (undertakings employing not
more than ten men or women
are exempted. It is how-
Gold Coast. - 1928 Edition Cap.)
101. Sections 54-57) ever now proposed to repeal
this exemption).

Palestine. - Ordinance 53 of 1927.

Trinidad. - Employment of Women Ordinance
(1926 Edition. Cap. 104)

Ceylon. - Ordinance No. 1 of 1928.

Norfolk. - Ordinance No. 21 of 1921, as amended by Ordinance
No. 2 of 1922. (By a regulation under this Ordinance
the employment of women is prohibited in any industrial
undertaking between 8 p.m. and 7 a.m.)

Fiji. - Ordinance No. 34 of 1921.

Gilbert and Ellice Islands Colony. - King's Regulation No. 1
of 1915.

British Solomon Islands Protectorate. - Labour Regulation 1921.

In Malta an Act (No. 21 of 1923) has been passed applying the
Convention but this has not yet been brought into force.

Legislation applying the provisions of this Convention is con-
templated in the undermentioned dependencies:-

Norway.
Spain.
Anguilla Territory.
Antigua Barbuda.
Barbados.
Belize.
Sierra Leone.
Gambia.
Gibraltar.
Cyprus.
British Guiana.
British Honduras.
Straits Settlements.
Federated Malay States.
Mauritius.
Seychelles.

(3) Convention fixing the minimum age for admission of children to industrial employment.

(Ninth Annual Report.)

This Convention has been applied in the undermentioned dependencies, (in some cases with the modifications indicated):-

Uganda. - The Employment of Children Ordinance (No. 13 of 1930) and Rules issued thereunder (Employment of Children Rules, 1931).

The combined effect of the provisions of the Ordinance, and of the Regulations, is to prohibit the employment of children under 14 in attendance on any work, or in other industrial occupations as children, and to prohibit the employment of children between the ages of 13 and 14 in any subject to certain special restrictions. It is also proposed in due course by an amendment of the Employment of Children Ordinance (No. 13 of 1930) to prohibit the employment of children in mines.

Kenya. - The Employment of Children Ordinance (No. 13 of 1930) and Regulations issued thereunder (Regulation 32 of the Mining (Safe Working) Regulations 1930).

It is now proposed to enact legislation prohibiting the employment of children in other industrial occupations.

Cyprus. - Ordinances No. 17 of 1928, No. 55 of 1928, and No. 6 of 1930.

Under these Ordinances the employment in industry of children under 14 was prohibited. It has now been decided to prohibit the industrial employment of children under 14).

Palestine. - Ordinance No. 54 of 1927.

In Palestine no child under 14 years of age may be employed (a) in trades declared by the High Commissioner to be "dangerous" (e.g., any trade in which white lead is employed, the making and finishing of mirrors, the manufacture of asphalt or bitumen), or (b) on the work of cleaning machinery while in motion. No child under 14 may be allowed to work in an industrial undertaking for more than 5 hours continuously, or for more than 8 hours in any period of 24 hours.

Trinidad. - Employment of Children Ordinance (No. 4 of 1927).

St. Helena. - Elementary Education Ordinance 1903.

(Sections 12 and 13 prohibit the employment of any child under 13 on any work whatsoever).

Ceylon. - Ordinance No. 6 of 1923.

Hong Kong. - Ordinances No. 22 of 1922 and 24 of 1923 (and Regulations thereunder).

Under a Regulation made on 23rd June 1930, no child under 14 years of age may be employed in any industrial undertaking. Further, no child under 15 years may be employed in a "dangerous" trade (boiler chipping, manufacture of fireworks, glass making, lead processes, or vermilion manufacture). No child under 15 is allowed to work in any industrial undertaking for more than 5 hours continuously or for more than 8 hours in 24.

Straits Settlements }
Federated Malay States } By Rules under Ordinance 17 of 1927, and
Enactment No. 1 of 1922 respectively, the industrial employment of
children under 13 is prohibited. Further, by Section 18 of Straits
Settlements Ordinance No. 42 and Section 18 of Federated Malay
States Enactment No. 3 of 1927 (Machinery) children under 16 are
prohibited from being in attendance on machinery.

North Borneo. - Labour Ordinance 1929.

Manitowish. - Under Ordinance No. 2 of 1931 children under 13 are
prohibited from working in factories where machinery is employed
in connection with the manufacture of certain industrial products.

Fiji. - Ordinance No. 34 of 1931.

Gilbert and Ellice Islands Colony. - King's Regulation No. 1 of 1915.

In Malta an act (No. 21 of 1926) has been passed applying the Con-
vention, but this has not yet been brought into force.

Legislation applying the provisions of this Convention is con-
templated also in the undermentioned Dependencies:-

Kenya.

Northern Rhodesia.

Nyasaland.

Zanzibar.

Nigeria.

Gold Coast.

Sierra Leone.

Gambia.

Gibraltar.

British Guiana.

British Honduras.

Seychelles.

British Solomon Islands Protectorate.

- (4) Convention concerning the night work of young persons employed in industry.

(Ninth Annual Report)

Convention has been applied in the undermentioned Dependencies (in some cases with the modifications indicated):-

Canada. - Employment of Children Ordinance (No. 19 of 1930).

(Prohibits the industrial employment of children under 14 between 7 p.m. and 5 a.m. the employment of children under 14 in attendance on machinery is prohibited absolutely).

Cyprus. - Ordinances No. 17 of 1928, No. 23, and No. 1 of 1930.

(Prohibit the night work of young persons under 16.) It has now been decided to apply the Convention without modification.

Malaya. - Ordinance No. 53 of 1927.

(No child under 15 may be employed in any industrial undertaking between 7 p.m. and 5 a.m.)

Ceylon. - Ordinance No. 6 of 1929.

(By this Ordinance the provisions of the Convention were applied in Ceylon except in respect of male young persons over 14 years of age. This is one of the modifications allowed by Article 6 in the case of India.)

Hong Kong. - Ordinance 22 of 1922 as amended by Ordinance 24 of 1929 (and Regulations thereunder).

(With the modification that the employment of young persons under the age of 13 is prohibited between 9 p.m. and 7 a.m., instead of during the night as defined in the Convention.

Federated Malay States. - Enactment No. 1 of 1922 as amended by Enactment No. 13 of 1923.

(The rule prohibits the employment of any child under 14 in any godown, factory, or workshop after 4 p.m. "It has now been decided to make rules both in the Federated Malay States and in the Straits Settlements applying the Convention without modification".

Fiji. - Ordinance No. 34 of 1931.

(With the modification that in the case of male young persons the age limit adopted is 14 instead of 15).

Malta. - An Act (No. 21 of 1926) has been passed prohibiting the employment of boys under 16, or girls under 18, between 8 p.m. and 5 a.m., without a special permit from the Minister in charge of the Department of Labour, but this has not yet been brought into force.

Legislation applying the provisions of this convention is contemplated also in the undermentioned Dependencies:-

1950/51

1. 1. 1951 - 1. 1. 1952

1. 1. 1952 - 1. 1. 1953

1. 1. 1953 - 1. 1. 1954

1. 1. 1954 - 1. 1. 1955

1. 1. 1955 - 1. 1. 1956

1. 1. 1956 - 1. 1. 1957

1. 1. 1957 - 1. 1. 1958

1. 1. 1958 - 1. 1. 1959

1. 1. 1959 - 1. 1. 1960

1. 1. 1960 - 1. 1. 1961

1. 1. 1961 - 1. 1. 1962

1. 1. 1962 - 1. 1. 1963

1. 1. 1963 - 1. 1. 1964

1. 1. 1964 - 1. 1. 1965

1. 1. 1965 - 1. 1. 1966

1. 1. 1966 - 1. 1. 1967

- (5) Convention fixing the minimum age for admission of children to employment at sea.

(Ninth Annual Report)

This Convention has been applied in the under-mentioned dependencies (in some cases with the modifications indicated):-

Gold Coast. 1928 Edition, Cap.101. Sec.58.

There is however no provision for the keeping of a register as provided in Art.4. /

Bahamas. Cap.231. Secs.27-30. prohibit the employment of children under 14 on vessels engaged in sponge and turtle fishing.

Barbados. The provisions of this Convention are followed in practice.

Ceylon. Ordinance No. 6 of 1923.

North Borneo. Gazette Notification No.90 of 1931.

Fiji. Ordinance No.34 of 1931.

Gilbert and
Ellice Is.
Colony. Kings Regulation No.1 of 1913.

Legislation applying the provisions of this Convention is now contemplated in the under-mentioned dependencies:-

Kenya

Tanganyika Territory

Zanzibar

Nigeria

Sierra Leone

Gambia

Gibraltar

Cyprus

Trinidad

British Guiana

British Honduras

Mauritius

Seychelles

British Solomon Islands Protectorate.

- (6) Convention concerning Unemployment Insurance in case of loss or foundering of the ship.

(Fifth Annual Report)

This Convention has been applied to the undermentioned dependencies:-

Malta - Act . . of 1919

Cyprus

Bermuda

Jamaica

Trinidad

Straits Settlements

Mauritius

Seychelles

Fiji

British Honduras

North Borneo

By Order in Council
dated the 25th of July,
1927, applying the relevant
provisions of the Merchant
Shipping (International Labour
Conventions) Act 1925.

Consolidated Laws 1924,
Cap. 31 (Sec. 62).

Gazette Notification
No. 99 of 1931.

Legislation applying this Convention is under contemplation in the case of the under-mentioned Dependencies:-

Nigeria

Gold Coast

Sierra Leone

Gambia

Gibraltar

British Guiana

Ceylon

Hong Kong

Gilbert & Ellice Islands Colony.

British Solomon Islands Protectorate.

(7) CONVENTION CONCERNING THE RIGHTS OF ASSOCIATION AND COMBINATION
OF AGRICULTURAL WORKERS.

(Eighth Annual Report)

There is no legislation in the non-self-governing dependencies discriminating against agricultural workers in the matter of rights of association. The Convention can accordingly be regarded as applying to these dependencies.

- (8) Convention concerning Workmen's Compensation in
Agriculture. (Eighth Annual Report.)
- (11) Convention concerning Workmen's Compensation for
Occupational Diseases. (Fourth Annual Report.)
- (12) Convention concerning Equality of Treatment for
National and Foreign Workers as regards Workmen's
Compensation for Accidents. (Fifth Annual Report.)
-

A.

Workmen's Compensation legislation exists in the undermen-
tioned dependencies. (The compensation payable under the laws
marked + is limited to injuries arising out of defects in machin-
ery or plant etc., or negligence on the part of the employer or
his agents):-

Tanganyika Territory.	+Master and Servant Ordinance (Cap. 51, Section 23).
Northern Rhodesia	(a) Workmen's Compensation Ordinance (1930 Edition Cap. 121) (this applies to non-native workers only). (b) Employment of Natives Ordinance (1930 Edition Cap. 62 Sections 59-63).
Somaliland.	+Employers Liability Ordinance (1930 Edition Cap. 60).
Nigeria.	Labour Regulations 1923 (Regulations 25-50).
Gibraltar.	+Employers Liability Ordinance 1924.
Malta.	Workmen's Compensation Act. (No. 6 of 1923).
Palestine.	Workmen's Compensation Ordinance (No. 4 of 1927, as amended by No. 19 of 1927).
Barbados.	+Employers Liability Act. (No. 7 of 1926).
Jamaica.	+Employers Liability Law (No. 35 of 1919)
Trinidad.	(a) + Compensation for Injuries Ordinance (Cap. 42). (b) Workmen's Compensation Ordinance (No. 8 of 1926, as amended by No. 30 of 1926).

Windward Islands, Grenada.	+Compensation for Injuries Ordinance (1911 Edition, Cap.146).
St.Vincent.	+Compensation for Injuries Ordinance (1926 Edition, Cap.75).
British Guiana.	+Accidental Deaths and (Workmen's) Compensa- tion Ordinance (1930 Edition Cap.265).
ST.Helena.	{Section 24 of the "Interpretation and General Law Ordinance 1895":- "Subject to all local Ordinances and Orders-in-Council in force for the time being: So much of the law of England, for the time being, as is applicable to local circumstances, is and shall be in force in this Colony, so far as it is suitable and appropriate and subject to such qualifica- tions as local circumstances render necessary"}.
Mauritius.	Workmen's Compensation Ordinance (No.13 of 1931).
North Borneo.	Labour Ordinance 1929 Sections 30 and 31.

B.

In addition to the Workmen's Compensation legislation enumerated above, which is of a general character, provisions of a limited scope as regards the occupations to which they apply, exist in the following dependencies:-

Kenya.	Mining Ordinance. (No.1 of 1931, Sections 87-88).
Uganda.	Mining Ordinance. (No.12 of 1930, Section 90).
Tanganyika Territory.	Mining Ordinance. (No.15 of 1929, Sec- tions 89-90).
Nigeria.	Minerals Ordinance. (1923 Edition, Cap.93, Section 58).
Sierra Leone.	Minerals Ordinance. (No.36 of 1927, Section 57).
Cyprus.	The Mines Regulations (Amendment) Law. (No.12 of 1925, Part II).
Seychelles.	Boiler Explosions Ordinance. (No.5 of 1913, Section 15).
Fiji.	Steam Boilers Ordinance. (No.7 of 1915 Part II).

Portugal's Colonial Legislation is not yet embodied in the form of a Bill. Dependencies marked * the same day as the Bill is introduced in the Legislative Council and the Bill is introduced in the Legislative Council.

Portugal

*Portugal's Colonial Legislation

Portugal

Portugal

Portugal

Windward Islands

*Portugal

St. Lucia

*St. Vincent

*Portugal's Colonial Legislation

St. Helena

Ceylon

Straits Settlements) An Enactment (No. 1 of 1923) was
Federated Malay States) passed in the Federated Malay
	States in 1923. It has, however,
	not yet been brought into opera-
	tion, pending the enactment of
	similar legislation in the Straits
	Settlements. The position in that
	Colony is that a Bill modelled on
	the Federated Malay States Enactment
	(which in its turn was based largely
	on an Indian Act) was introduced in-
	to the Legislative Council.

In view however of the fact that the Indian Act had not yet had an extended trial, it was decided to defer the Bill until the Governor had had an opportunity of reconsidering the situation in the light of the recommendations on this matter in the report of the Royal Commission on Labour in India.

(3) Convention concerning Workmen's Compensation in
Agriculture. (Eighth Annual Report.)

With the exceptions mentioned below, compensation under the legislation set out in list A above is payable to agricultural workers equally with others:-

Exceptions.

- Palestine. (The question of extending the provisions of the Ordinance to agricultural workers is under consideration).
- Trinidad. (When the draft of Ordinance No. 8 of 1926 was prepared, agricultural workers were included. The relevant provisions were however subsequently deleted from the Bill in view of representations which were made to the Government, to the effect that to include them would be to impose a burden on the peasant proprietor which he could not bear. The exclusion does not extend to agricultural workers employed in connection with machinery.

Under the "Compensation for Injuries Ordinance" however compensation arising out of defects in machinery or plant etc. or negligence on the part of the employer or his agents is payable to agricultural workers equally with others).

As regards the contemplated legislation referred to in list C, the question whether or to what extent, compensation will be payable to agricultural workers has not yet in all cases been decided.

(11) Convention concerning Workmen's Compensation

for occupational diseases. (Fourth Annual Report.)

The Convention has been applied (with the modifications indicated) in the under-mentioned dependencies:-

Melita. By Gazette Notice No. 454 of 7th November, 1930, the benefits of Act No. 6 of 1929 were extended to workmen contracting any of the following diseases:-

- (a) Lead poisoning and its sequelae.
- (b) Inflammation and ulceration of the skin and mucous membranes produced by dust, liquids, vapours, or other agents.
- (c) Inflammation of joints or surrounding structures due to repeated trauma.

Northern Rhodesia.

The diseases covered by the Workmen's Compensation Ordinance (No. 16 of 1930) are cyanide rash, lead poisoning or its sequelae, mercury poisoning or its sequelae.

The question of the applicability of the Convention in other Dependencies where there is Workmen's Compensation legislation, or where the enactment of such legislation is contemplated, is under consideration. In view of the difficulty of diagnosing occupational diseases, and of determining whether such a disease, when diagnosed, has in fact been caused by the workman's employment, it is necessary to proceed with caution, particularly in Colonial dependencies where there are few medical practitioners with the necessary specialised knowledge and experience.

(12) Convention concerning Equality of Treatment for
National and Foreign Workers as regards Workmen's
Compensation for Accidents. [Fifth Annual Report.]

Under all the legislation mentioned in lists A and B above, compensation is payable to foreign workers on the same conditions as to national workers. In the case of the legislation in force in Kenya, Uganda, Tanganyika Territory, Nigeria and Sierra Leone and the corresponding legislation in force in Northern Rhodesia, the provisions apply only to natives of Africa; there is however no discrimination against foreign natives of Africa. In the case of Mauritius (and in the case of the proposed legislation in Barbuda, the Windward Islands, British Guiana, Ceylon, the Straits Settlements and the Federated Malay States) there is a condition as to residence in the case of periodical payments. This condition, however, applies equally to national workers.

- (9) Convention fixing the minimum age for the admission of Children to employment as Trimmers or Stokers. (Fifth Annual Report).

This Convention has been applied in the undermentioned dependencies:-

Malta Act No. 9 of 1929

Cyprus	}	
Bermuda	}	
Jamaica	}	
Trinidad	}	
Mauritius	}	
Fiji	}	
Seychelles	}	

By Order in Council of the 27th July 1927 applying the relevant provisions of the Merchant Shipping (International Labour Conventions) Act 1925, except (in the case of the Seychelles) in respect of ships registered - for voyages between certain islands of the group.

British Honduras Consolidated Laws 1927. Cap 39 (Sec.22)

North Borneo Gazette Notification No. 90/1931.

Legislation applying this Convention is under contemplation in the case of the under-mentioned dependencies:-

Kenya

Tanganyika Territory

Zanzibar

Nigeria

Gold Coast

Sierra Leone

Gambia

Gibraltar

Barbados

British Guiana

Hongkong

Straits Settlements

Gilbert and Ellice Islands Colony

British Solomon Islands Protectorate

(10) Convention concerning the compulsory medical examination of children and young persons employed at Sea. (Fifth Annual Report).

This Convention has been applied in the undermentioned dependencies:-

Cyprus	}	By Order in Council dated 25th July, 1927, applying the relevant provisions of the Merchant Shipping (International Labour Conventions) Act 1925, except (in the case of the Seychelles) in respect of ships registered for voyages between certain islands of the group.
Bermuda		
Jamaica		
Trinidad		
Fiji		
Mauritius		
Seychelles		

Malta - Act No. 8 of 1929

British Honduras Consolidated Laws 1924. Cap. 39 (Sec. 82)

North Borneo - Gazette Notification No. 90 of 1931.

Legislation applying this Convention is under contemplation in the cases of the under-mentioned dependencies:-

Nigeria

Gold Coast

Sierra Leone

Gambia

Gibraltar

British Guiana

Hongkong

Straits Settlements

Gilbert and Ellice Islands Colony

British Solomon Islands Protectorate

- (15) Convention concerning Seagoing Articles of Agreement.
(Second Annual Report).

Legislation relating to the matters dealt with in this Convention exists in the under-mentioned dependencies:-

<u>Gambia.</u>	Navigation and Pilotage (Consolidation) Ordinance 1016. (Sec. 13 (5)).
<u>Gibraltar.</u>	Merchant Shipping Ordinance 1386.
<u>Bahamas.</u>	The Merchant Service Act (1929 Edition. Cap. 140).
<u>Barbados.</u>	Merchant Shipping Act. (No. 2 of 1900).
<u>British Honduras.</u>	Harbours and Merchant Shipping Ordinance. (1924 Edition. Cap. 39). (Sec. 63.)
<u>St. Helena.</u>	Interpretation and General Law Ordinance 1903 (Sec. 24).
<u>Falklands.</u>	Ordinance No. 9 of 1900.
<u>Straits Settlements.</u>	Merchant Shipping Ordinance (No. 125 - Secs. 36-62, 75 and 85).
<u>Mauritius.</u>	Ordinances No. 19 of 1910, and No. 20 of 1910.

The extent to which this legislation conforms to the requirements of the Convention, and the question of the enactment of similar legislation in other maritime dependencies, are under consideration.

(14) & (15) Conventions concerning Sickness Insurance

- (a) For Workers in Industry and Commerce and Domestic Servants (First Annual Report)
- (b) For Agricultural Workers. (First Annual Report)

It is not proposed at present to apply either of these two Conventions in any of the non-self-governing dependencies. The Conventions are designed to meet the requirements of communities in an advanced stage of development where the worker and his family are entirely dependent for their livelihood on wages derived from regular employment and are sufficiently educated to appreciate the benefits to be derived from a system of compulsory insurance. In the greater number of the non-self-governing dependencies neither of these conditions exist.

2. The administration of compulsory sickness insurance schemes by self-governing institutions would be beyond the capacity of primitive populations. Moreover, even if conditions in the dependencies were such as to render feasible the administration of such schemes by Government, the creation and maintenance of the necessary administrative machinery would at present, be beyond the capacity of Colonial Governments, on financial grounds.

3. Nevertheless the objects of Articles 4 and 5 of these Conventions are to a great extent attained by other means, without any specific contribution from the Colonies or derive benefit from the facilities provided. Free medical and hospital treatment are provided by the Governments (or in certain cases by local authorities) of practically all dependencies, and in many Colonies these services are supplemented by institutions maintained by charitable bodies. In the opinion of many Colonial Governments the money which would be required to set up the machinery necessary for the administration of a compulsory sickness insurance scheme, the benefits of which would necessarily be restricted to a negligible proportion of the population, would be much better spent in improving the health and social condition of the masses. In many of the West Indian and certain other Colonies provision for medical treatment is secured through membership of friendly societies.

4. In addition, in areas where employment is organised on a large scale (e.g. agricultural estates or important mining undertakings) employers are generally speaking required by law to provide adequate medicines for their native labourers during illness, and medical attention during serious illness when procurable. In some dependencies, particularly those in which labour is recruited in large numbers from abroad (e.g. Ceylon, Malaya and the dependencies in the Western Pacific), employers are required by law to provide and maintain adequate hospital accommodation and equipment for the treatment of their sick labourers. The provision of adequate medical facilities is also generally made a condition when contracts for important works of construction are entered into.

5. As regards the provision against destitution contemplated by Article 3 of each of the Conventions the position is that, in the majority of the Tropical dependencies, at any rate the bare necessities of life are either provided by communal effort or can be secured by each family with little effort. Destitution does not therefore present the serious problems which arise in densely populated industrial countries. For example, in the African dependencies the great majority of native families are able to provide for their own subsistence by working on their own or their tribal lands. Generally speaking therefore, they are not under any economic necessity to engage in wage earning employment. Similarly, in many of the West Indian Colonies also, wage-earning employment is very largely supplemented by the cultivation of the workers' own plots.

(16) CONVENTION CONCERNING THE CREATION OF

ESTATE WAGE FIXING MACHINERY.

(Second annual Report)

1. The Convention is partially applied in the following Dependencies :-

CEYLON.

In so far as Indian labourers are concerned, the Governor is empowered by Ordinance No.37 of 1927 to appoint Estate Wages Boards consisting of a public officer as Chairman, two employers of Indian labourers working on estates, and two representatives of the labourers. It is the duty of each Board to fix minimum rates of wages for time work performed on estates within its jurisdiction. These rates may be different for different localities within the jurisdiction of the Board and for different classes of labourers. The Board of Indian Immigrant Labour is given power to vary the rates fixed by an Estate Wages Board or to fix rates when an Estate Wages Board has failed to do so.

This machinery is working satisfactorily, and it has not been found that minimum wages tend to become standard wages.

The question of the creation of similar machinery for other labourers is at present engaging the attention of the Government of Ceylon.

STRAITS SETTLEMENTS.

Section 11 of the Labour Ordinance No.197 of the revised edition, 1922, as amended by Ordinance No.6 of 1930.

FEDERATED MALAY STATES.

Section 141 of the Labour Code (Enactment No.13 of 1923 as amended by No.1 of 1928, Section 10, and No.3 of 1930, Section 5).

UTTERPRANCH ALAK STATES.

Johore. Labour Code, Enactment No.10 of 1924 as amended by No.16 of 1928, Section 4.

Selangor. Enactment No.2 of 1945.

Kelantan. Enactment No.2 of 1927 is amended by No.24 of 1930.

Terengganu. Enactment No.3 of 1943.

The provisions of the various Enactments mentioned above empower the Indian Immigration Committee to prescribe, subject to approval, standard rates of wages payable to all classes of Indian labourers performing certain specified kinds of labour. The Committee is required to give reasonable notice of its intention to fix such rates in any particular area at a meeting which all interested parties may attend, including representatives of the local Government and of the Government of India. When the rates have been agreed upon, notice of their coming into effect is given by publication in the Government Gazette and in the Press.

2. Machinery of the nature contemplated by the Convention exists in Gibraltar in the case of the civil code. The question of introducing legislation applying the provisions of the Convention is engaging the attention of the Colonial Government.

3. The question of the enactment of legislation to give effect to the principles of the Convention in other Dependencies is engaging the attention of His Majesty's Government in consultation with the local Governments. As a matter of interest it may however be mentioned that statutory minimum wages for immigrant Indian labourers are prescribed in the following Dependencies. In most cases the rates were determined many years ago, and (except in Mauritius) the legislation does not make provision for any revision of the rates laid down.

British Guiana.

The Immigration Ordinance Cap. 117, revised edition 1934,
(Sections 21 and 22.)

Jamaica.

The Immigrants Protection Ordinance No. 25 of 1878, as amended
by No. 53 of 1912, (Section 40 of the former ordinance and
Section 50 as amended by the latter ordinance.)

Mauritius.

The Labour Ordinance No. 2 of 1912, (Articles 35 and 40).

Western Pacific High Commissioner.

British Solomon Islands Protectorate. The Labour Regulation
No. 15 of 1921, (Sections 29 (3) and 30).

In the under-mentioned Dependencies similar provision is
made for indigenous labourers:

British Guiana.

The Amalgamated Indians Protection Ordinance, Cap. 262, re-
vised edition, 1907, (Section 15 (1)).

Fiji.

The Fijian Labour Ordinance No. 3 of 1915, revised edition
1934, (Sections 28 and 29).

Western Pacific High Commissioner.

British Solomon Islands Protectorate. Vide reference quoted
above.

Gilbert and Ellice Islands Colony. The Labour Regulation,
King's Regulation No. 1 of 1915, (Section 29
and Section 20 (5) as amended by Gilbert and Ellice Is-
lands Ordinance No. 3 of 1921).

LAB/1/2

6 August

2

CHIEF SECRETARY.

Subject : Application to the dependent
Colonies of the International
Labour-Conventions.

Reference : 1/280/31 of 28.7.32.

Receipt of Confidential Despatch
to Secretary of State, dated 23.7.32, is
hereby acknowledged.

(Signature of Director)

DIRECTOR.

SM

Government of Palestine

58

Chief Secretary's Office,
Jerusalem,

Confidential.

Palestine.

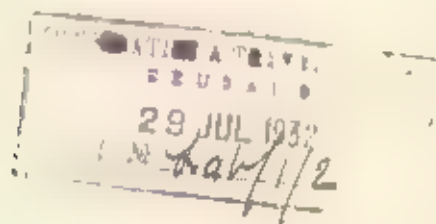
Number. _1/280/31.

28 July, 1932.

To Director,

Department of Immigration.

Reference to previous correspondence:



The undermentioned documents are forwarded herewith for
and acknowledgement of receipt.

information ~~XXXXXX~~ and ~~XXXXXX~~
~~XXXX~~

S. MOODY
for Chief Secretary

Subject Application to the dependent Colonies of the
International Labour Conventions

X

Date	Reference No	Description
23.7.32.	Confidential.	Despatch to Secretary of State.



1



CONFIDENTIAL.

23 July, 1932.

Reference No. 282/31.

Sir,

I have the honour to refer to your Circular despatch of the 30th January, 1932, in regard to the application to the Colonies, Protectorates, and Mandated Territories, of the International Labour Conventions which have been ratified in respect of the United Kingdom, and to request that Enclosure II to my despatch Confidential A of the 19th December, 1931, may be accepted as the annual report of this Government as at the 30th June, 1932, with respect to the Conventions which have been applied to Palestine and the measures which have been taken to give effect to their provisions.

2. There has been no change in the position as a whole or in relation to any particular Convention since that statement was drawn up.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

The Right Honourable

Sir Philip Cunliffe-Lister, M.P., etc., etc.,
His Majesty's Principal Secretary of State
for the Colonies.

56

D.D.I.

do you agree with the draft despatch
at 56 A r

M.N.

9.7.32.

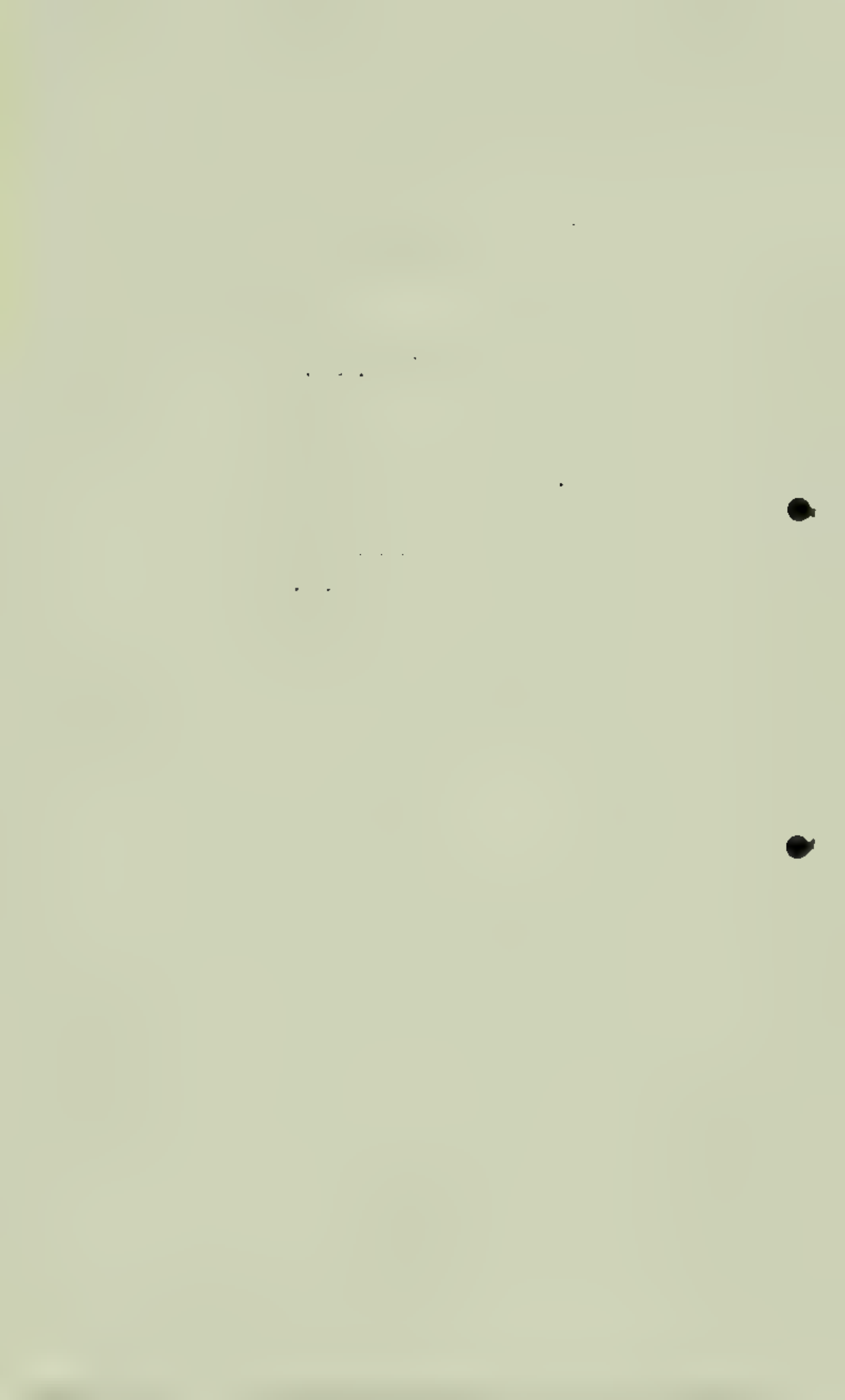
57

CS.

I agree

A.M.H.

13.7.32.



COPY

56 A

57a

DRAFT

no. I/280/31.

July, 1932.

to S. of S.

Confidential.

Sir,

I have the honour to refer to your Circular despatch of the 30th January, 1932, in regard to the application to the Colonies, Protectorates, and Mandated territories, of the International Labour Conventions which have been ratified in respect of the United Kingdom, and to request that Enclosure II to my despatch Confidential A of the 19th December 1931, may be accepted as the annual report of this Government, as at the 30th June, 1932, with respect to the Conventions which have been applied to Palestine and the measures which have been taken to give effect to their provisions.

2. There has been no change in the position as a whole or in relation to any particular Convention since that statement was drawn up.

I have, etc.

H.C. r.P.

R.S.



RECEIVED
24 DEC 1931
L. 20

I/280/1.

CONFIDENTIAL

24 December, 1931.

Sir,

I am directed to forward a copy of the High Commissioner's despatch Confidential A of the 19th December, 1931, with regard to the application to the non-self-governing dependencies of the International Labour Conventions to which His Majesty's Government in the United Kingdom is a party.

I am to ask that you will note the matters of which His Excellency has informed the Secretary of State that reference is being made to your Committee and to request that you will discuss these matters to be considered only and recommendations with regard thereto to be included in your Committee's report.

I am,
Sir,
Your obedient servant,

(Signed) MAX NUROCK

For Chief of Mission.

The Chairman,
Labour Legislation Committee.

Copy to: Chief Immigration Officer with
copy of despatch.

102

Sir,

I have the honour to refer to the correspondence case arising with a telegram No. 248 of the 21st October from the Officer administering the Government with regard to the application to the non-self-governing dependencies of the International Labour Conventions to which His Majesty's Government in the United Kingdom is a party.

1. The Conventions in question are annexed in Enclosure I in this despatch. The position as regards the application of each Convention in relation has again been examined by this Government in the light of the observations in Lord Macleod's Circular Despatch of the 2nd April 1931. The result of this examination is given in Enclosure II in this despatch, in the form of a separate report upon each Convention, with precise reference to the provisions of the relevant existing legislation already in operation, and a concise statement as to the reasons of this Government in cases where any of the Conventions are still considered to be inapplicable, or as to the modifications which may be necessary.

The right hon. Mr. Philip Curzon, K.G., Secretary of State for the Colonies, is His Majesty's Principal Secretary of State for the Colonies.

- 1. Convention concerning Unemployment.
- 2. Convention concerning Employment of Women during the Night.
- 3. Convention fixing the minimum age for admission of children to industrial employment.
- 4. Convention concerning the night work of young persons employed in industry.
- 5. Convention fixing the minimum age for admission of children to employment at sea.
- 6. Convention concerning Unemployment Insurance in case of loss of sight of the ship.
- 7. Convention concerning the rights of association and combination of agricultural workers.
- 8. Convention concerning workmen's compensation in agriculture.
- 9. Convention fixing the minimum age for the admission of young persons to employment as officers of ships.
- 10. Convention concerning the compulsory examination of children and young persons employed at sea.
- 11. Convention concerning workmen's compensation for occupational diseases.
- 12. Convention concerning the equality of treatment for national and foreign workers as regards workmen's compensation for accidents.
- 13. Convention concerning women's rights of association.
- 14. Convention concerning the creation of minimum wage fixing machinery.
- 15. Conventions concerning sickness insurance for -
 - (i) workers in industry and commerce and domestic servants; and
 - (ii) agricultural workers.

1. General Principles

Article 1, requiring the communication of all available information regarding unemployment to the International Labour Office is complied with. Otherwise, this convention has not yet been applied in Palestine, but its application will now be considered in connection with the inquiry into existing labour legislation and the necessity for its amendment which is being undertaken by a committee. Palestine is a semi-tropical country where the majority of the population are peasants engaged in agricultural pursuits on their own or leased lands; and wage-earning employment is to them a supplementary and not a principal source of livelihood. Special arrangements are in force under the Migration Ordinance and regulations, through the system of half-yearly labour quotas, for adjusting the supply of migrant labour to the absorptive capacity of the country from time to time. Statistics of unemployment are sent monthly to the International Labour Office. This Government does not consider that the establishment of official labour exchanges is at present justified.

2. Convention regarding Employment of Women and Children

This convention was applied in Palestine in 1917 by the provisions of the Industrial Employment of Women and Children Ordinance, 1917, which forbids employment of women and children in dangerous or unhealthy occupations specified in the schedule annexed to the ordinance and in certain circumstances of the law.

- Article 1. (Article 1 of the Convention)
Article 1. (Article 1 of the Convention)

This Convention was applied in its entirety in 1937 by the provisions of the Industrial Employment of Women and Children Act 1937, with the modifications specified in the memorandum enclosed in Lord Macmillan's Circular Despatch of the 21st April, 1937.

- 4. Convention regarding the Night Work of Women
Article 1. (Article 1 of the Convention)

This Convention was applied in its entirety in 1937 by the provisions of the Industrial Employment of Women and Children Act 1937, with the modifications specified in the memorandum enclosed in Lord Macmillan's Circular Despatch of the 21st April, 1937.

Article 2. (Article 2 of the Convention)

This Convention has not yet been applied in its entirety because there is no mercantile marine, as such; and, if any, children are employed at sea, it is so far as any necessary their parents or other fitting or competent persons in small boats or drilling vessels.

- 6. Convention regarding the Minimum Age for Admission to Employment
Article 1. (Article 1 of the Convention)

This Convention has not yet been applied in its entirety because there is no mercantile marine (see also under 5). But the question will be considered further at the end of 1937, on the opening of the new year to full effect.

7. Convention concerning the rights of association
and organization of agricultural workers.

This Convention is applied in Palestine. There is no legislation in Palestine which discriminates against agricultural workers in the matter of rights of association; and in Palestine most of the Jewish Agricultural workers are organized within the General Federation of Jewish Labour.

8. Convention concerning workers' compensation in agriculture.

The Worker's Compensation Ordinance, 1947, is based upon the first English Act of that character; and it was not considered that the time had yet come, when the Ordinance was drafted, to include certain classes of agricultural workers (see also para 15). That extension will now be examined by the Committee entitled to give consideration to the matters already referred to.

9. Convention fixing the liability for the damage
caused by animals kept by persons engaged in agriculture.

This Convention is not applied in Palestine, because there are no records of Palestine registers which are open to public inspection.

10. Convention concerning the liability for the damage
caused by animals kept by persons engaged in agriculture.

This Convention is not applied in Palestine, for the reasons given under (5) (6) and (9).

11. Convention concerning workers' compensation for occupational diseases.

This convention has not yet been applied in practice. The scheduling of occupational diseases in the Workers' Compensation Ordinance, 1927, was considered when that Ordinance was in preparation, but was judged to be impracticable. Such diseases are rare in Palestine.

The question will now be dealt with by the Committee already mentioned.

12. Convention concerning liability of employers for accidents at work or arising out of or in connection with work.

This convention is applied in Palestine, and in the Workers' Compensation Ordinance, 1927, there is no specific provision relating to compensation for foreign workers. Attention is invited to the fact, however, that the application of this convention to Palestine, which was published in the Gazette of the 16th May, 1929 (page 557).

13. Convention concerning women's rights of labour.

This convention is not yet applied in Palestine for the reasons given in the following extract from the 1st Commissioner's Report, 1923, of the 1st October:

"The women's articles of agreement are not included in Palestine except in respect of categories of work which are excluded from the scope of the convention under Article 1, namely:

- " (a) Government vessels not engaged in trade;
- (b) vessels engaged in coasting trade;
- (c) fishing vessels.

I do not anticipate that the development of the Haifa Port will bring into consideration, in the reasonably near future, any sea-going draft of local registration to which the Convention would apply. "

14. Convention concerning the Protection of Ships' Marks

This Convention is not yet applied in Palestine, but its application is now being considered by the Committee already mentioned. The reason for its non-application hitherto was given in despatch Confidential D of the 19th November, 1931, from the Officer Administering the Government, which also explained why the possibility of applying it is now being envisaged. A copy of that despatch is enclosed for convenience of record.

15. Convention concerning Japanese Passports for -

- (i) workers in industry and commerce and domestic services; and
- (ii) agricultural workers.

Neither Convention is yet applied in Palestine (see also under 11), but the possibility of application in the future is to be considered. The reasons for non-application hitherto are given in despatch Confidential D of the 19th November, 1931, from the Officer Administering the Government, as follows:

" The Palestine Government has considered from time to time the possibility of introducing legislation in Palestine to provide for the compulsory insurance of

"Employees against illness."

The demand for such legislation has been voiced, however, only by the General Federation of Jewish Labour and the Health Committee of the Jewish Community and this is significant of the chief objection to its introduction at present.

By far the largest part of the working population of the country consists of unorganised Arab labour and while it is true that some somewhat tentative organisations among Arabs is beginning to show itself, under the stimulus of Jewish social activity, the stage at which labour legislation of an advanced order could be generally and effectively administered in Palestine has not yet been reached, particularly in view of the fact that Arab employers do not yet feel the need for social reform and for improving conditions of labour.

Moreover, I understand from the example of the other countries in which it is in force that a scheme for compulsory health insurance requires for its success the financial participation of Government. It is estimated that, in present circumstances, participation might involve this Government in an annual expenditure of between £2,10,000 and £2,20,000 a year. Proposals which entail so heavy a commitment must for the present be deferred.

On the whole, therefore, I am of the opinion that it would be premature to apply the two Conventions to Palestine, but I propose to refer the matter for further examination to the Committee which is to inquire into the sufficiency of the existing labour legislation in Palestine."

561

19 November, 1931.

Sir,

I have the honour to refer to Lord Passfield's despatch circular (2) of the 25th April, 1931, on the subject of a convention concerning the creation of minimum wage fixing machinery and a recommendation concerning the application of such machinery, which were adopted by the International Labour Conference at its Eleventh Session in June 1928.

2. I invite attention in this respect to paragraphs 19 and 20 of the Report of the Wages Committee which was forwarded with Lord Curzon's despatch No. 715 of the 17th July, 1928, and to paragraph 4 of that despatch in which Lord Curzon expressed his full agreement with the recommendation of the Committee that the time had not yet come for the passing of a minimum wage law in Palestine.

3. The position in regard to the creation of minimum wage fixing machinery has changed somewhat in the interval since that despatch was written and in connection with the problem of finding an economic basis on which Arabs and Jews can compete freely for employment whilst preserving reasonable standards of living. Sir John Channon has made certain proposals for the creation of minimum wage fixing machinery. For convenience of reference I quote below the relevant passage from his despatch Confidential A of the 23rd July, 1931.

"The problem then is how to secure the
employment of

The Right Honourable

Philip Curzon, Master, K.G., G.C.B., G.C.H., G.C.E.,
His Majesty's Principal Secretary of State
for the Colonies.

employment on public works of a fixed proportion of Jans with as little interference as possible with the general principle that in the interests of the taxpayer public works should be constructed at the lowest possible cost and that when works are put out to public tender the lowest tender should be accepted.

"The first matter for consideration is therefore by what means can Jans and Arabs be enabled to compete on equal terms for employment. It seems inevitable in order to equalise conditions that a minimum wage for unskilled labour should be fixed and that the payment of this minimum rate by the contractor should be a condition of acceptance of tenders for public works. By this means Jans and Arab contractors will be compelled to tender on the same basis.

It would be necessary to fix minimum local wage rates for unskilled labour with due regard to the current market rates for labour in the locality. In areas where one section of the population largely predominates, the minimum wage applicable to the section of the population which forms the majority should be adopted. In areas with a mixed population of Jans and Arabs where the proportion of the two races and the conditions under which they live are such as to justify a uniform current market rate for labour, the rate of a minimum wage for Jans and Arabs should be the same. In areas with a mixed population where the Jans and Arabs are segregated and where there are two distinct labour markets - for example, in Jans and Arab - different rates of minimum wages for Jans and Arabs may be necessary.

"I propose that the task of determining the rates of minimum wage to be paid in various districts, and the decision as to whether different rates for Jews and Arabs are necessary in certain areas, should be undertaken by District Magistrate Arbitration Boards of a judicial character.

"I propose to refer this matter to the Committee appointed under the chairmanship of the Attorney-General to report on existing labour legislation, for their consideration".

4. The Committee will therefore conveniently consider also the specific point whether the Convention and Recommendation in question should be applied to Palestine; but, pending such consideration, I am of opinion that application should be postponed.

I have the honour to be,

Yr,

Your most obedient,

Samuel Curran,

(Sd/-) H. H. Y. Khan

Deputy Minister, Labour
Min. Off.

Chief Secretary.

The following reply to the Secretary of State's telegram No.293 of the 14th instant is suggested :

Conventions 3 and 4 yes.

2. With regard to enclosure 1 of the Draft Despatch to the Secretary of State item 15 is a repetition of 14 and should be omitted.

Enclosure II

I. Convention concerning unemployment.
Article I requiring the communication to the International Labour Office of all available information regarding unemployment has been adopted. Article 2 recommending the establishment of Public Employment Agencies might be referred to the Labour Committee.

III and IV subject to the modification specified.

VIII. It is presumed that it is intended to substitute the manuscript draft for the version that has been typed. It is thought that it would be better to say "to include certain classes of agricultural workers". There can be no question of scheduling ordinary agricultural workers and there is no purpose in referring that to the Committee, but the inclusion of certain classes, e.g. those employed in connection with machinery, might be considered.

XI. The following addition might be made after the first paragraph, the remainder of the draft being cancelled. "The scheduling of occupational diseases was considered when the Ordinance was in draft but it was thought at that time to be impracticable. Moreover occupational diseases are very exceptional in Palestine Industry. The subject will however again be considered by the Labour Committee."

XII. A reference might be made to the Official Gazette of 16.5.29.

XV. It is presumed that this question has been settled in the negative for the present and there is no intention to refer the matter to the Labour Committee.

3. Your files I/334/31 and I/333/31 are returned herewith.

16.12.31.

C.I.O.

Government of Palestine

Chief Secretary's Office,
Jerusalem,
Palestine.

Number T/280/31.

67

15 December, 1931.

To Chief Immigration Officer.

Reference to previous correspondence:

The undermentioned documents are forwarded herewith for ~~information~~ ~~INDEXED~~ ~~and~~ ~~retention~~ ~~INDEX~~ ~~INDEX~~

S. MOODY
for Chief Secretary

Subject Labour Conventions.

Date	Reference No.	Description
14.12.31.	293	Telegram from Secretary of State.

Code, Cypher
or Clear?

Code.

Adm. 40

TELEGRAM

From Secretary of State.

To

HIGH COMMISSIONER FOR PALESTINE,
JERUSALEM.

Despatched
(Date and Time)

14.12.31.

Received
(Date and Time)

15.12.31.

No. 293.

Dated:

Your telegram No.248.

Labour Conventions.

When I may expect despatch.

I assume application of Conventions No.

3 and 4, means application with modifications specified
in the enclosure to my circular despatch of 2nd April.



Tel. address: "HICOMA, JERUSALEM"

Any reply should be addressed to

THE CHIEF SECRETARY,
GOVERNMENT OFFICES,
JERUSALEM.

and should quote

SECRETARIAT,

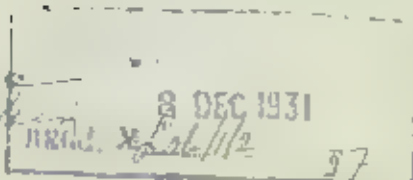
GOVERNMENT OFFICES,

JERUSALEM.

7th December, 1931

No. _____

Dear Miss Willson



I am sure file

Thank

Yours,
D. P. Hirst

Mr. Sperling.

This office file Lab/1/2 is sent
herewith. Please return as soon as possible.

Secretariat file, L/280/31 is
returned as requested.

16 2/12/51

LAB/1/2

29 November

1

CHIEF SECRETARY.

Subject :- Creation of minimum wage fixing
machinery Convention re-

Reference :- 1/333/31 of 26th November, 1931.

The receipt of Confidential Despatch
to the Colonial Office dated 19.11.31
is hereby acknowledged.

CHIEF IMMIGRATION OFFICER.

SM/LK

50

Government of Palestine.

Chief Secretary's Office,
JERUSALEM
1931
Jerusalem,
Palestine.

1004/3.
7

H

Number. 1/334/31.

27 November, 1931.

To. the Chief Immigration Officer, ———
Director, Department of Health.

Reference to previous correspondence:

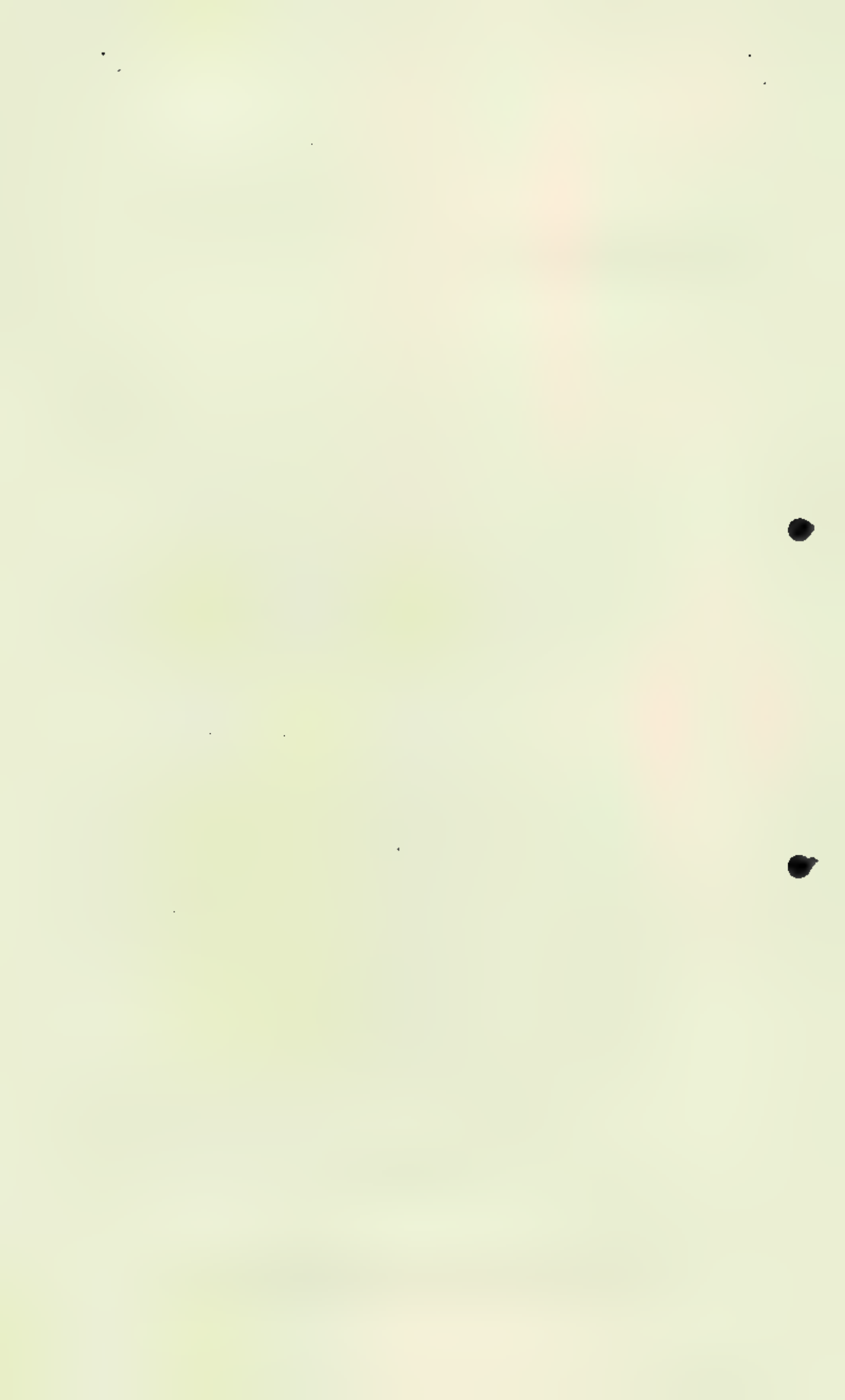
The undermentioned documents are
forwarded herewith for information retention
and return
addition

S. MOODY.

for CHIEF SECRETARY.

Subject. Health insurance.

Date.	Reference number.	Description.
18.11.31.	1000	Despatch to the Secretary of State for the Colonies.



1000
Despatch No.

November, 1941

Reference to: Labour

Sir,

I have the honour to refer to Lord Passfield's Circular despatch of the 18th April, 1941, regarding the conventions which concern, respectively, sickness insurance for workers in industry and commerce and domestic servants, and sickness insurance for agricultural workers, and a recommendation concerning the general principles of sickness insurance, which were adopted by the International Labour Conference at its Tenth Session in June, 1936.

2. The Palestine Government has considered from time to time the possibility of introducing legislation in Palestine to provide for the compulsory insurance of employees against illness.

The demand for such legislation has been voiced, however, only by the General Federation of Jewish Labour and the Health Committee of the Jewish Community and this is significant of the chief objection to its introduction at present.

By far the largest part of the working population of the country consists of unorganised Arab labour and while it is true that some movement towards organisation among Arabs is beginning to

show,

The Right Honourable

Sir Philip Golliffe-Moyle, K.C., G.C.S., etc., etc.,
His Majesty's Principal Secretary of State
for the Colonies.

show itself, under the stimulus of Jewish social activity, the stage at which labour legislation of an advanced order could be generally and effectively administered in Palestine has not yet been reached, particularly in view of the fact that Arab employers do not yet feel the need for social reform and for improving conditions of labour.

Moreover, I undertake from the example of the other countries in which it is in force that a scheme for compulsory health insurance requires for its success the financial participation of Government. It is estimated that, in present circumstances, participation might involve the Government in an annual expenditure of between £15,000 and £20,000 a year. Proposals which entail so heavy a commitment must for the present be deferred.

4. On the whole, therefore, I am of the opinion that it would be premature to apply the two Conventions to Palestine, but I propose to refer the matter for further examination to the Committee which is to enquire into the sufficiency of the existing labour legislation in Palestine.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

(Sgd) M. J. COUNC

OFFICE OF THE
J. L. H. H. H. H.

Copy on 14/14

2
14/1/2

Government of Palestine.

Chief Secretary's Office,

Jerusalem,

Palestine.

Confidential.

Number. I/333/31.

26 November, 1931.

To. Chief Immigration Officer,
Chairman of the Committee on Labour Legislation,

Reference to previous correspondence:

The undermentioned documents are
forwarded herewith for information and retention
~~RECORDING~~ and ~~RECORDING~~
and acknowledgement of receipt.

S. MOODY.

CHIEF SECRETARY.

Subject. Creation of minimum wage fixing machinery
Convention re -

Date.	Reference Number.	Description.
19. 11. 31	CONFIDENTIAL D	Despatch to the Colonial Office.



CONFIDENTIAL

Reference No. 1/330/31.

19 November, 1941.

Sir,

I have the honour to refer to Lord Peel's despatch Circular (2) of the 8th April, 1941, on the subject of a Convention concerning the creation of minimum wage fixing machinery and a Recommendation concerning the application of such machinery, which were adopted by the International Labour Conference at its Eleventh Session in June 1936.

2. I invite attention in this respect to paragraphs 18 and 20 of the report of the Wage Committee which was forwarded with Lord Plumer's despatch No. 723 of the 17th July, 1936, and to paragraph 4 of that despatch in which Lord Plumer expressed his full agreement with the recommendation of the Committee that the time had not yet come for the passing of a minimum wage law in Palestine.

3. The position in regard to the creation of minimum wage fixing machinery has changed somewhat in the interval since that despatch was written and in connection with the problem of finding an economic basis on which Arabs and Jews can compete freely for employment whilst preserving reasonable standards of living Sir John Chancellor made certain proposals for

the/

The Right Honourable

Sir Philip Cunliffe-Lister, B. Sc., D. Sc., etc., etc.,
His Majesty's Principal Secretary of State
for the Colonies.

47

the creation of minimum wage fixing machinery. For convenience of reference I quote below the relevant passage from his despatch (Confidential C of the 9th July, 1931).

"The problem then is how to secure the employment on public works of a fixed proportion of Jews with as little interference as possible with the general principle that in the interests of the taxpayer public works should be constructed at the lowest possible cost and that when works are put out to public tender the lowest tender should be accepted.

"The first matter for consideration is therefore by what means can Jews and Arabs be enabled to compete on equal terms for employment. It seems inevitable in order to equalise conditions that a minimum wage for unskilled labour should be fixed and that the payment of that minimum rate by the contractor should be a condition of acceptance of tenders for public works. By this means Jewish and Arab contractors will be compelled to tender on the same basis.

"It would be necessary to fix minimum local wage rates for unskilled labour with due regard to the current market rates for labour in the locality. In areas where one section of the population largely predominates, the minimum wage applicable to that section of the population which forms the majority should be adopted. In areas with a mixed population of Jews and Arabs where the proportion of the two races and the conditions under which they live are such as to

ten/

"tend to equalize the current market rates for labour, the rate of a minimum wage for Jew and Arab should be the same. In areas with a mixed population where the Jews and Arabs are segregated and where there are two distinct labour markets - for example, in Jaffa and Tel-Aviv - different rates of minimum wages for Jews and Arabs may be necessary.

"I propose that the task of determining the rates of minimum wage to be paid in various districts, and the decision as to whether different rates for Jews and Arabs are necessary in certain areas, should be undertaken by District Wages Arbitration Boards of a judicial character.

"I propose to refer this matter to the Committee appointed under the Chairmanship of the Attorney-General to report on existing labour legislation, for their consideration."

4. The Committee will therefore conveniently consider also the specific point whether the Convention and Recommendation in question should be applied to Palestine; but, pending such consideration, I am of opinion that application should be postponed.

I have the honour to be,

Sir,

Your most obedient,

Humble servant,

Sgd) J. H. N.

23 July

CHIEF SECRETARY.

Subject : Application to Palestine of
International Labour Conventions.

Reference : I/280/31 of 4.6.31 and enclosure,
and I/333/31 of 3.7.31.

I forward herewith a memorandum in regard to the application in Palestine of twenty six international labour conventions, adopted in 11 sessions of the International Labour Conference.

As the relevant legislation has already been communicated to the Secretary of State and included in his memorandum to which reference is made no explanation of modification made has been embodied but only a brief indication of the legislation in force.

Separate reports have been submitted on Sickness Insurance and Minimum Wage Fixing Machinery vide my LAB/1/2 of 3.7.31, and Lab/1/2 of 23.7.31.

In the case of "Workmen's compensation for occupational diseases and Workmen's compensation in agriculture" reference has been made in my memorandum to the Official Committee, the appointment of which by His Excellency the High Commissioner was approved on the 3rd of March, 1931.

The memorandum does not cover all the laws and regulations concerning labour which have been enacted by the Government of Palestine but it deals only with those legislative measures which correspond to the 26 conventions under reference.


Ag. CHIEF IMMIGRATION OFFICER.

MEMORANDUM

I. HOURS OF WORK AND WEEKLY REST.

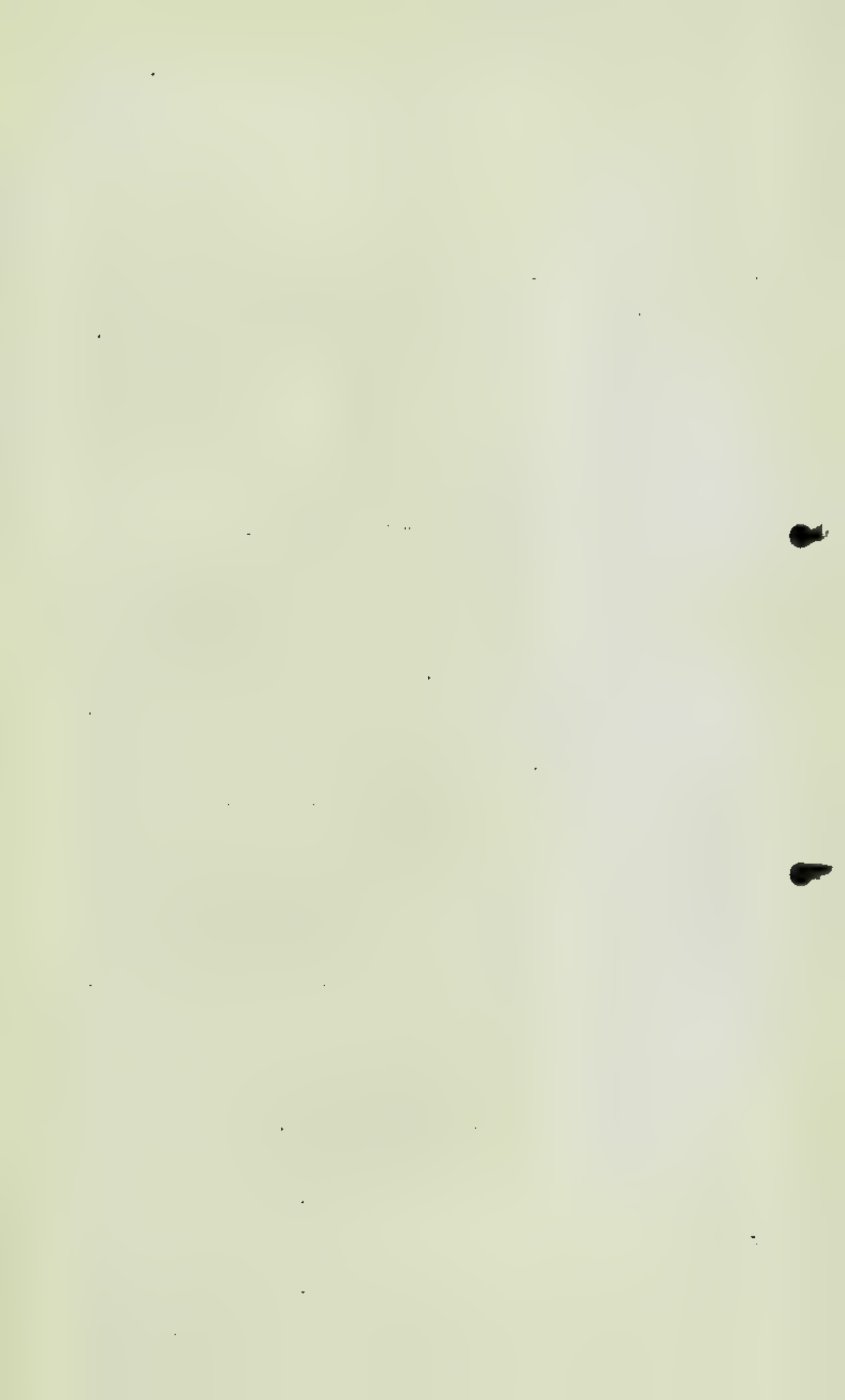
1. Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week
(1st Conference Washington, 1919).

(a) Limitation of daily hours of work has only been applied in respect of industrial employment of children under the age of 16 years (Industrial Employment of Women and Children Ordinance, 1927).

(b) Nominally an eight hour working day is in practice in the larger industrial establishments in which Jewish and mixed labour is employed. It is also customary in the Jewish building trade and in Jewish agriculture.

2. Convention concerning application of the weekly rest in industrial undertakings
(3rd Conference, Geneva, 1921)

One day's rest in every week has been made compulsory in respect of children employed in industrial undertakings by the provisions of the Industrial Employment of Women and Children Ordinance. In the Government, Municipal and larger industrial establishments the weekly day of rest is in practice. It is almost universally applied in respect of the Christian and Jewish communities. It is not however customary in respect of the vast majority of the Moslem community.



3. Convention concerning night work in bakeries
(7th Conference, Geneva, 1925).

No legislation on this subject exists. A movement towards the abandonment of night work in bakeries and confectioneries was initiated by the Jewish Workers Bakers Union but with no appreciable result. The Union however, succeeded in limiting to some extent and regulating the hours of night work work in the larger bakeries.

II. PROTECTION OF
WOMEN AND
CHILDREN.

4. Convention concerning the employment of women
during the night (1st Conference Washington,
1919)

Extract on
Leif/8

The industrial employment of women at night is prohibited by the Industrial Employment of Women and Children Ordinance 1927. In general there is little opportunity for such employment even if legislation did not exist.

5. Convention concerning the night work of
young persons employed in industries
(1st Conference, Washington, 1919)

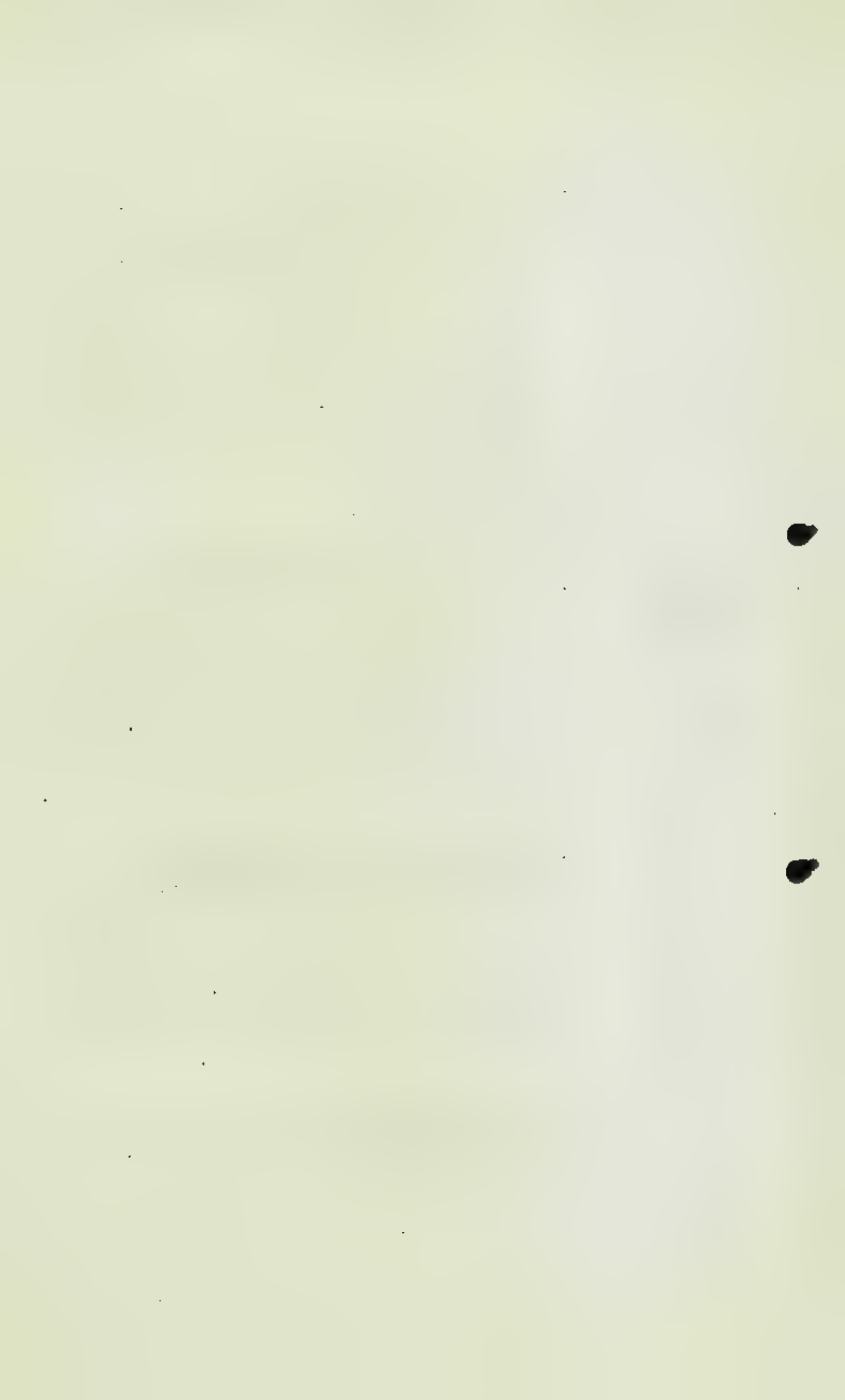
Extract on
Leif/8

The industrial employment of children at night is prohibited by the Industrial Employment of Women and Children Ordinance. There is very little opportunity for such employment even if the legislation did not exist.

6. Convention concerning the employment of women
before and after childbirth
(1st Conference, Washington, 1919).

Extract on Leif/8

No steps have been taken to apply this Convention. In the existing state of the Arab section of the population legislation would be unlikely to be effective. The General Federation of Jewish Labour has made some provision/



provision for its members through the Kupat Holim (Sick Fund).

7.

Convention fixing the minimum age for admission of children to industrial employment
(1st Conference Washington, 1919).

Extraction

The minimum age of the industrial employment of children is fixed at twelve years by the Industrial Employment of Women and Children Ordinance 1927. The legislation follows the minimum age prescribed in the application of the convention to India.

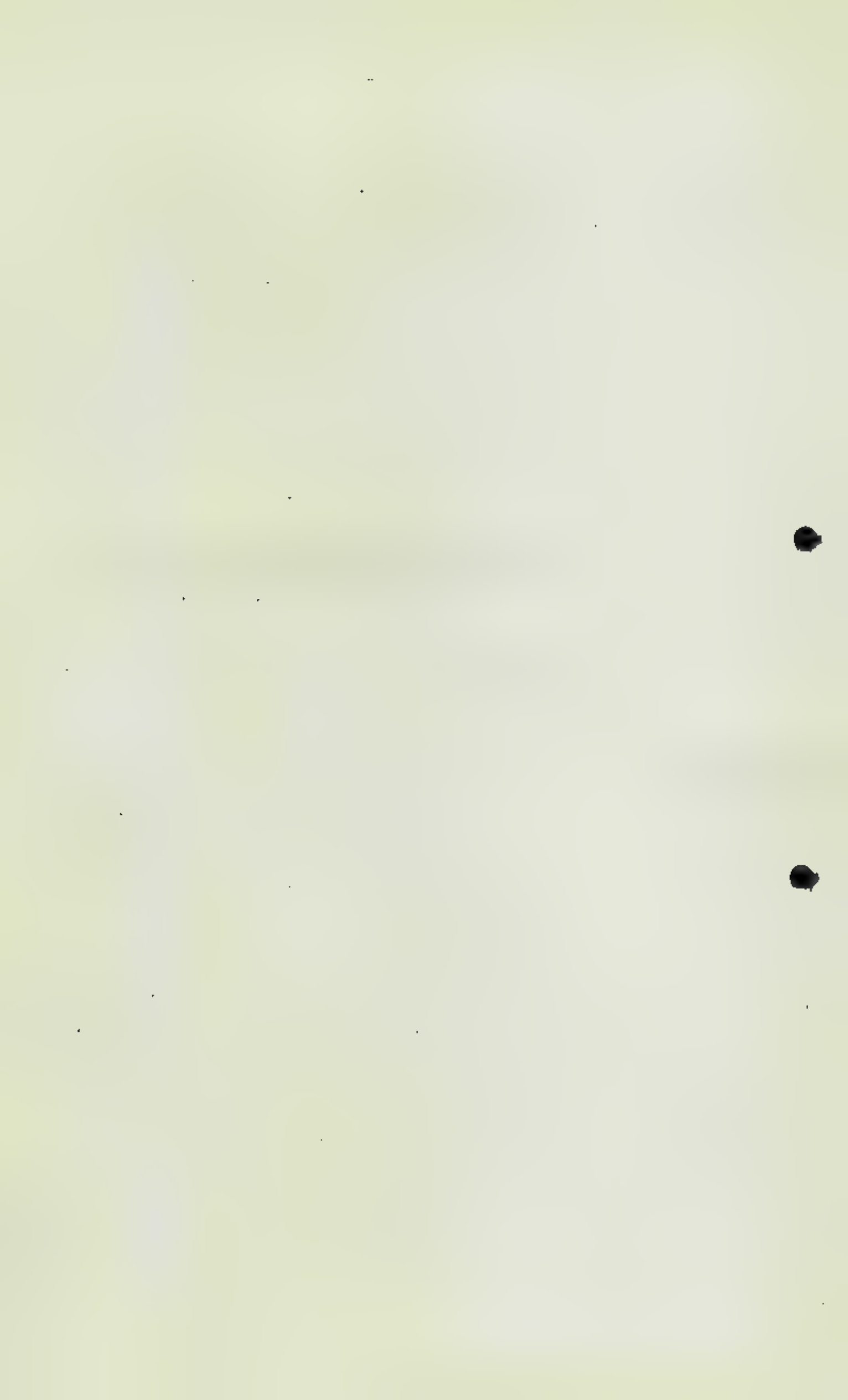
8.

Convention concerning the age for admission of children to employment in agriculture
(3rd Conference Geneva, 1921).

Labour legislation in Palestine has not been made applicable to agricultural workers. It is considered that the application of this convention to agriculture would be premature and even if legislation were promulgated it would be difficult to make it effective.

Extraction

The practice of hired child labour is not widespread in Palestine. There are no large plantations in this country in which children are employed in large numbers. The only exception is in connection with seasonal works, such as the harvest, and with the pastoral industry. As the majority of the land is held by peasant farmers children are only employed by their parents or guardians. Where tenant farmers exist they are in general paid in kind and any children who are employed merely assist their parents or guardians - the tenants.



III. DANGEROUS
TRADES.

9. Convention concerning the use of white lead in Painting (3rd Conference, Geneva, 1921) and Recommendation concerning the protection of women and children against lead poisoning (1st Conference, Washington, 1919).

These principles have been partially embodied in the Industrial Employment of Women and Children Ordinance, 1927, by the inclusion of the trades employing white lead in the list of dangerous trades, in which the employment of women and children is prohibited.

Extract
49/8

10. Recommendation concerning the application of the Berne Convention of 1906, on the prohibition of the use of white Phosphorus in the Manufacture of Matches.
(1st Conference, Washington, 1919).

An Ordinance to prohibit the manufacture, sale and importation of matches, made with white phosphorus was enacted in 1925.

IV. WORKMEN'S
COMPENSATION.

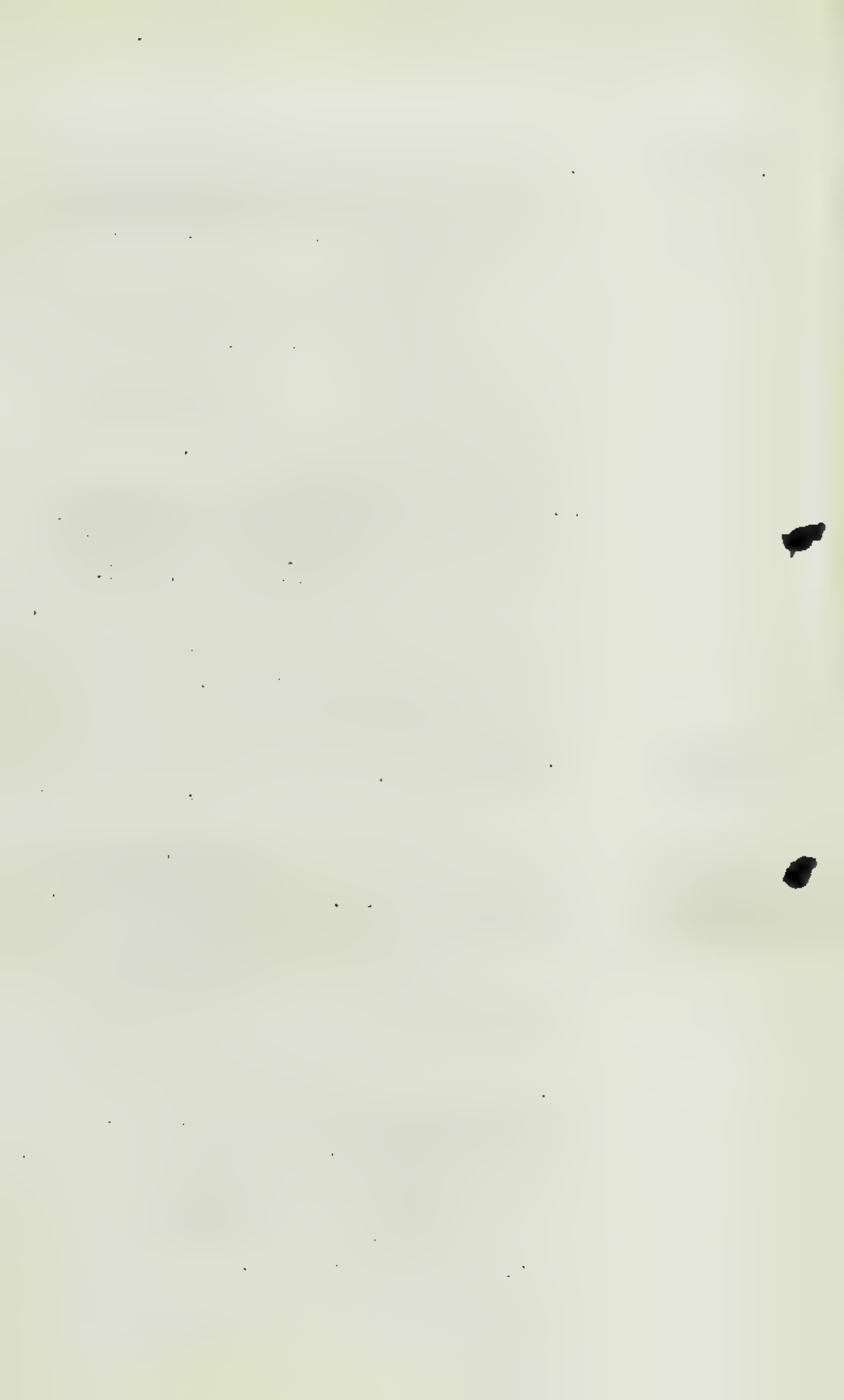
11. Convention concerning Workmen's Compensation for accidents. (7th Conference, Geneva, 1925.)

The General principles of this convention have been embodied in the Workmen's Compensation Ordinance of 1927. The trades to which the Ordinance is applicable are classified in the first schedule of the Ordinance to or from which any class of industry may be added or removed by order of His Excellency the High Commissioner.

12. Convention concerning workmen's compensation for occupational diseases
(7th Conference Geneva, 1925).

(a) The Workmen's Compensation Ordinance, 1927, prescribes payment of compensation only in the case of injury by accident; it does not apply to injury produced by disease.

The General/



(b) The General Federation of Jewish Labour in Palestine has requested the inclusion of provisions for the payment of compensation in case of sickness arising out of and in the course of employment. It is suggested that this question should receive the consideration of the official committee approved by His Excellency the High Commissioner on the 3rd of March 1931.

13. Convention concerning workmen's compensation in agriculture (3rd Conference, Geneva, 1921)

*Extract for
Leg/2*

Agriculture was not included in the schedule of trades to which the Workmen's Compensation Ordinance 1927, was made applicable. Its inclusion was considered to be premature and it is probable that this view should be maintained. It might receive the consideration of the official committee approved by His Excellency the High Commissioner on the 3rd of March 1931.

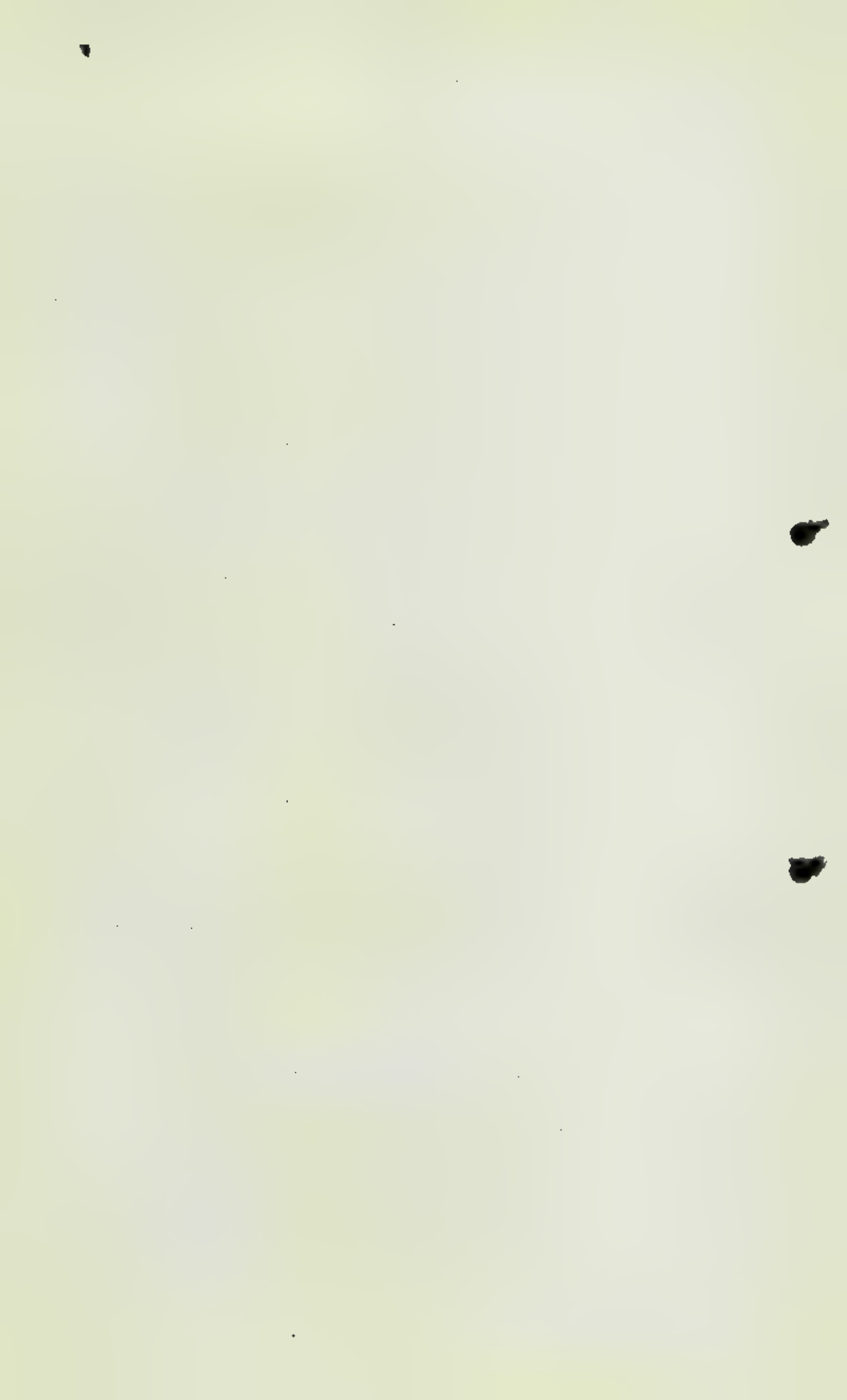
EQUALITY OF
TREATMENT.
RIGHT OF
ASSOCIATION.

14. Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents. (7th Conference, Geneva, 1925).

Palestine has adhered to this convention vide order issued by the Chief Secretary by command of His Excellency the High Commissioner on the 6th of May, 1929.

14a. Recommendation concerning reciprocity of treatment of foreign workers (1st Conference, Washington, 1919)

There is no legislation in force to prevent foreign workers being admitted on terms of reciprocity to benefits granted by the existing laws and regulations.



15. Convention concerning the right of association and combination of agricultural workers

(3rd Conference, Geneva, 1921).

No preventive legislation exists. Jewish agricultural labour has been so organised.

VI. UNEMPLOYMENT

16. Convention concerning Unemployment
(1st Conference, Washington, 1919)

(a) This convention has not been applied to Palestine though an estimate of unemployment is submitted monthly to the International Labour Office.

(b) Neither public nor private Labour Exchanges exist in Palestine apart from the labour office of the General Federation of Jewish Labour.

In some of the Jewish Agricultural settlements joint employers and employees labour offices exist.

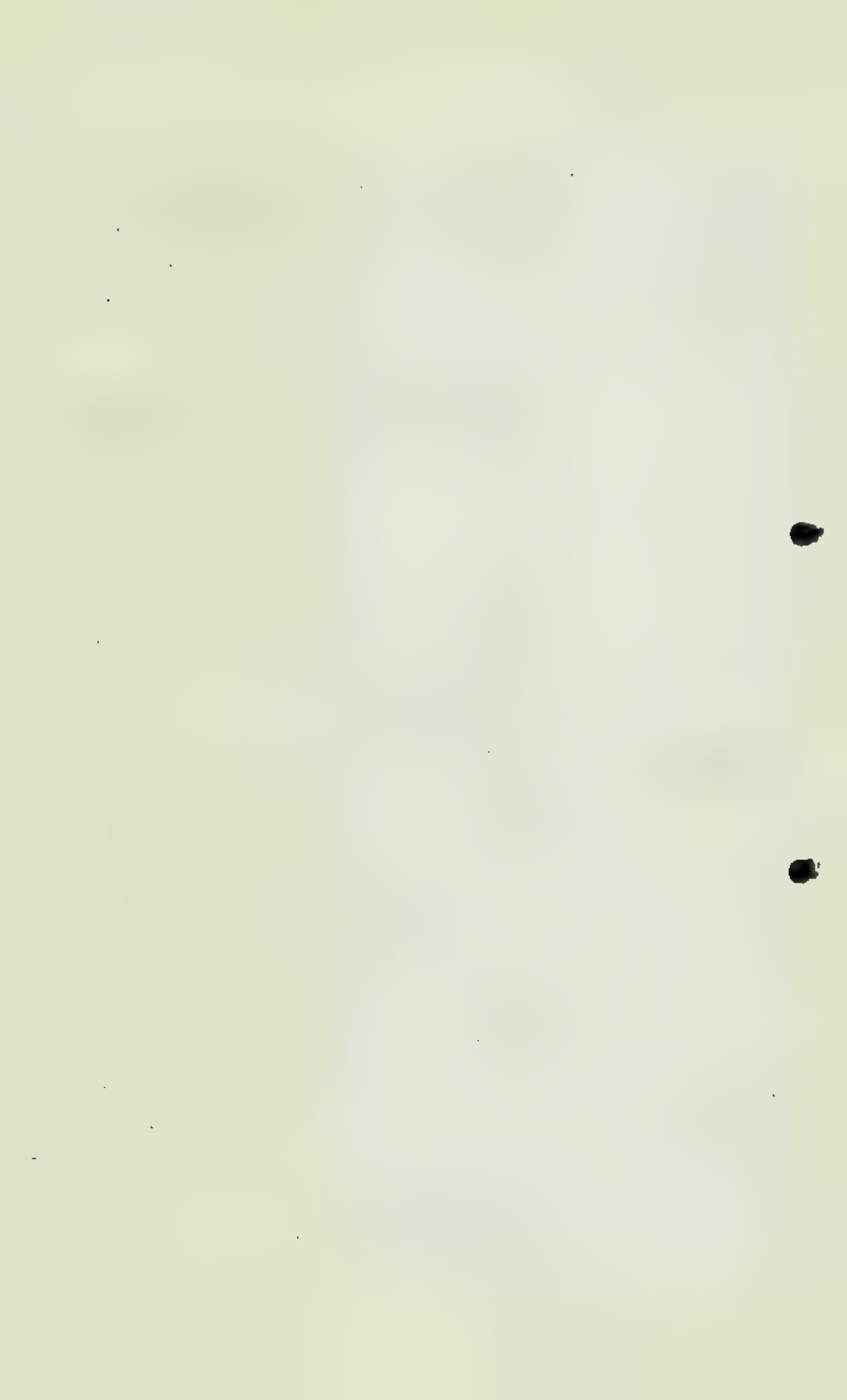
The provision of Government Labour exchanges would be costly, ineffective and liable to abuse for political and inter-racial purposes. There is an outstanding and at present insurmountable difference between the requirements of Jewish and Arab labour, and the labour market is characterized by a constant oversupply of cheap labour.

VII. PROTECTION
OF SEAMEN.

None of the following conventions concerning seaman'ship apply to Palestine. With the exception of a small coastal fishing and lighterage community there are no seamen among the population of Palestine.

2nd Conference

*Extract
in UNRWA/3/2*



2nd Conference
Geneva, 1920.

17. Convention fixing minimum age for admission of children to employment at sea.
18. Convention concerning unemployment indemnity in case of loss or foundering of the ship.
19. Convention for establishing facilities for finding employment for seamen.

3rd Conference,
Geneva, 1921.

20. Convention fixing the minimum age for the admission of young persons to employment as trimmers and stokers.
21. Convention concerning the compulsory medical examination of children and young persons employed at sea.

9th Conference
Geneva, 1926.

22. Convention concerning seamen's articles of agreement.
23. Convention concerning the repatriation of seamen.

VIII. SICKNESS
INSURANCE.
MINIMUM WAGE.

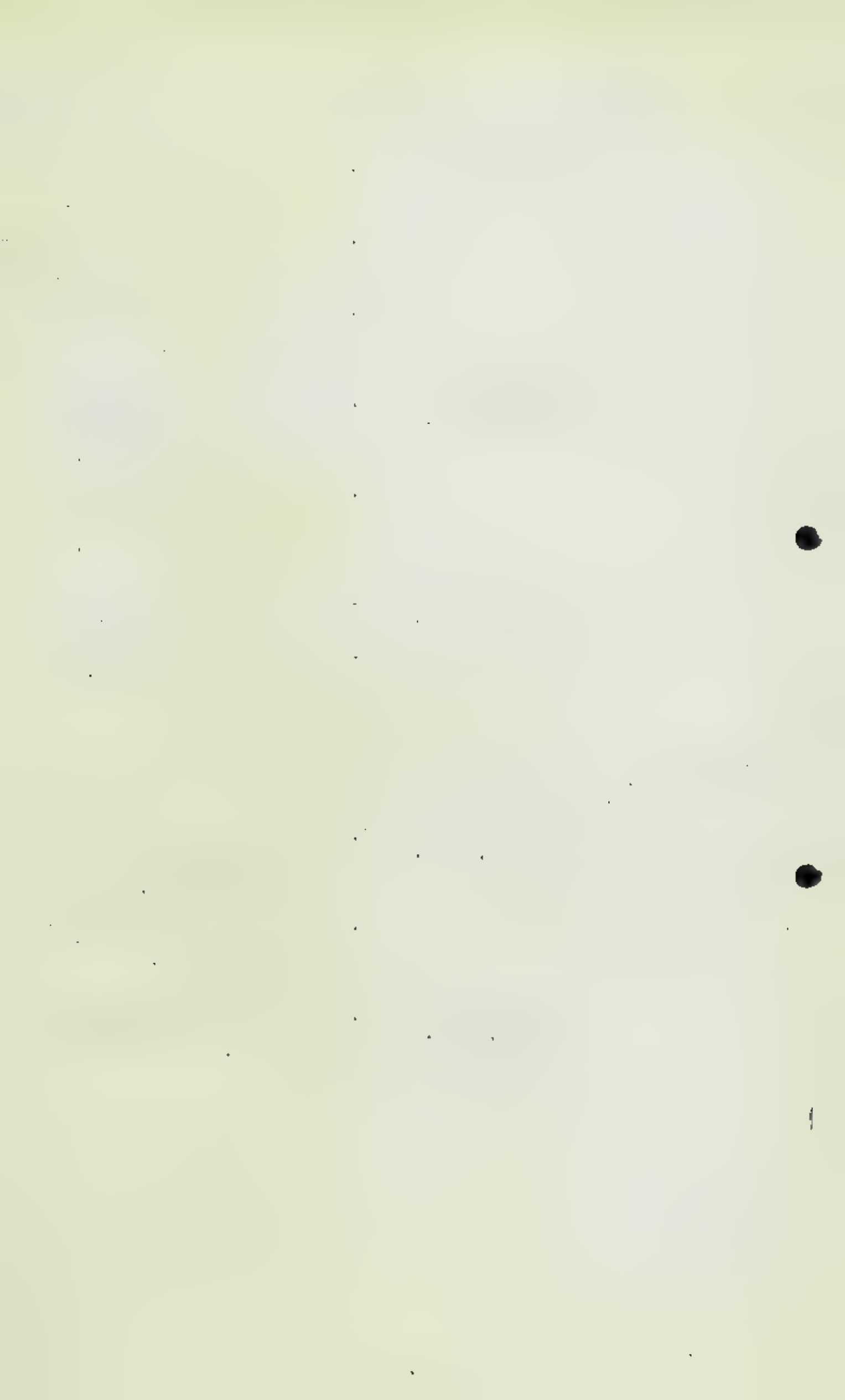
The following conventions are subject to separate memoranda.

10th Conference,
Geneva, 1922.

24. Convention concerning sickness insurance for workers in industry, commerce and domestic servants.
25. Convention concerning sickness insurance for agricultural workmen.

11th Conference
Geneva, 1928.

26. Convention concerning creation of Minimum Wage Fixing Machinery.



LAB/1/2

25 July

1

CHIEF SECRETARY.

Subject : International Labour Convention concerning the Creation of Minimum Wage Fixing Machinery.

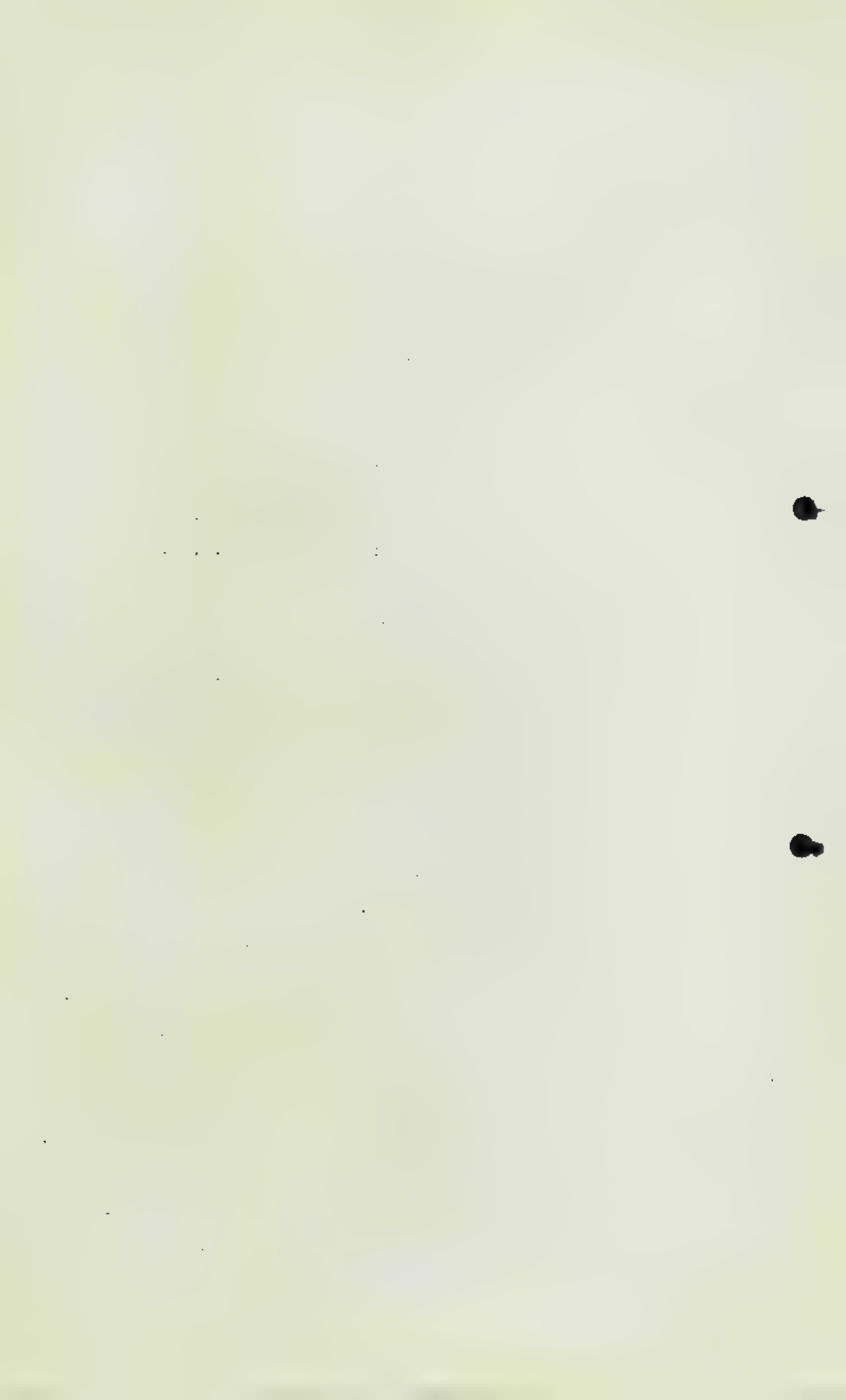
Reference : 1/333/31 of 20.5.31.

In November 1927 His Excellency the High Commissioner appointed a Commission of enquiry which examined the question of rates of wages for unskilled labour in Palestine. The Commission obtained evidence from a variety of sources and the following extract from the report which/ submitted in May 1928 is relevant:

4-40

"We are not satisfied that there is any conscious demand for a minimum wage law among the majority of workmen in Palestine. That the view of the Federation (General Federation of Jewish Labour in Palestine) represent the opinion of the large majority of its members is undoubted. A number of Arab workmen are members of the Railway and Postal workers section of the Federation. That a certain number of non-union Jewish and even Arab workmen sympathise with these views is probable. But we do not consider that the views of the Federation necessarily represent those of Arab labour as a whole nor have the Federation claimed that position. In the absence of any democratically organised Arab Labour Organisation of any size, we have been unable to ascertain what are the opinions of Arab labour on a minimum wage law. We believe that for the most part Arab rural labour is totally unaware of modern Trade Union development, although Arab urban labour probably has a general idea of the value of concerted action. Even if there were such a demand, we are of the opinion that the introduction of a general wage law is premature. The chief difficulties at present are of definition and enforcement. A minimum wage can be properly determined only by minimum-wage-fixing machinery. Minimum-wage-fixing machinery can only be effectively set up

in industries/



in industries in which there is already some experience in making wage agreements by negotiation and, in the last resort, by strike and lock-out. Negotiation, strike and lock-out are only possible when employers and labour are properly organised and represented by responsible leaders. In Palestine there is little organisation of employers or of Arab labour, few if any wage agreements, and no wage-fixing machinery. We are doubtful of the success of a short-cut. If the machinery were to be set up now and break down, it would seriously prejudice its chances of success in the future. We therefore suggest that those interested in the question should build soundly from the bottom upwards, and we recommend that employers and labour should be given every facility by Government to establish the machinery required at each state, until the time is reached when a minimum wage law becomes practical politics".

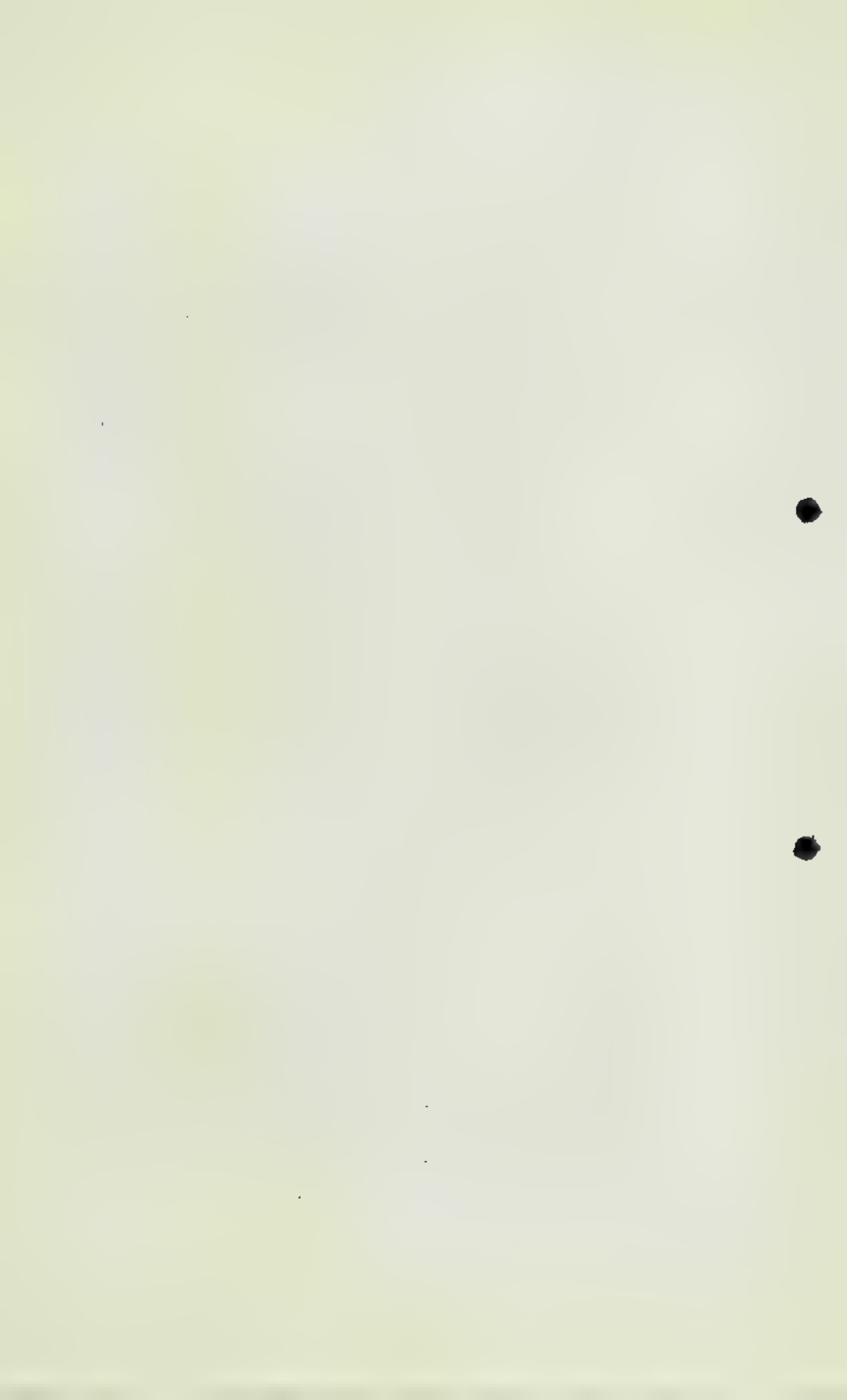
It is considered that the observations and recommendations of the Commission in regard to the creation of a minimum wage fixing machinery still hold good as the conditions of industry in Palestine have shown little or no change since that date. In dealing with any question of this kind it should be remembered that Industry in Palestine is in its infancy and in view of the economic condition of the world and of the keen competition which local industry must face from old established and more naturally favoured sources any attempt to impose modern legislation, how ever desirable, would be liable to restrict development.

There are four distinct classes of unskilled labour.

1. Arab rural labour
2. Arab urban labour
3. Jewish non-union labour
4. Jewish union labour

The rates of wages in respect of the 4th group are nearly twice as large as those of the first group. It would therefore, be extremely difficult to fix any minimum wage which would be appropriate to the whole. If an attempt were made to raise the standard of Arab labour to that of Jewish labour it is believed that it would be unsuccessful since there is and has been a surplus of unskilled labour which would be prepared to work for wages less than their fellows. It is also doubtful whether employers of labour could carry on their work under such conditions in a country which has so few natural economic resources.

The enclosures to Secretary of State's despatch are returned herewith,



45
Pub/1.

46
15 July

1.

Chief Secretary.

Subject:- Publications of the
International Labour
Office.

Reference:- I/334/31 of 29.5.31.

The booklet containing "Draft
Conventions and Recommendations adopted
by the International Labour Office at
its Fourteen Sessions held 1919-1930
(Geneva, 1930)" is returned herewith as
instructed.

2. I shall be grateful if a copy of
the booklet may be ordered for this office.

Ag. CHIEF INSPECTION OFFICER.

LS/CG.

Copy to Lr 1/2 —

44

4.

LAE/1/8

15 July

1

CHIEF SECRETARY.

Enclosed is a certified true
copy of a despatch in Mr. Eyanson's own
handwriting, transmitted to me from
England.

The original is kept in the
file.

KP/O
Ag. CHIEF IMMIGRATION OFFICER.

NDB/SM

42

44

CABLES
REGITAL, LONDON

THE ROYAL EMPIRE SOCIETY,

INLAND TELEGRAMS

(FORMERLY THE ROYAL COLONIAL SOCIETY)

REGITAL, WESTRAMP, LONDON

NORTHUMBERLAND AVENUE,

TELEPHONE

LONDON, W. C. 2.

REGENT, 6865 (FIVE LINES)

3 July 31

Dear Birdcage

Here is a C's minute with
enclosures & myself. Will you
please send this with C's. Let
keep: the relation file a file copies
Myself also of the 18/5/31
despatch.

Kind regards

Yours truly

Alfred Hornum

18/5/31

Chief Secretary

Subject: Health Insurance

Reference: P/334/31 of 29.5.31

Consideration has previously been given to suggestions for the introduction into Palestine of general legislation imposing the insurance of employees against illness, but the view has hitherto been held that it would be premature at present to introduce any such legislation. If adopted it would have to apply to the whole of the working population and in so far as a large portion of that population is concerned it would inevitably prove a dead letter. Apart from this objection the adoption of the draft conventions for Palestine would in part be relatively unnecessary so long as the present widespread system of hospital services continues. In present circumstances there must be few sick working men & women who are unable to obtain free medical attendance from one source or another.

2. The payment of allowances during incapacity from ill-health is another matter. The Jewish Trade Union through its Kupat Holim makes provision for this and a large number of Jewish working men make weekly contributions for this purpose to this institution. A growing number of Jewish employers also contribute to this Fund whilst also it is to be noted receives a contribution from the Jewish Agency. Some of the Arab trade unions also under their constitutions provide sick benefit to their members, although it is believed that in practice very little is done in this respect in so far as Arab workers are concerned. One of the difficulties in the way of making Arab employers and employees as a whole enter into such a scheme is their relatively backward state in regard to social reform. There is also the natural disinclination of employers, Jewish as well as Arab, to add to their costs of production if they can avoid doing so. A compulsory system of Health Insurance would therefore prove to be for the most part a dead letter. It is for these reasons not advocated. The most that is recommended for the present is a continuation of the present system whereby the Trade Union provide the insurance, the cost being supplied by (a) those who directly benefit, & (b) a continuously increasing number of employers induced to do by the Union, and (c) public institutions such as the Jewish Agency. The Government if it desired to show practical sympathy might do so by means of grants governed by suitable safeguards, to the Health Funds of the Unions. An alternative which might perhaps more closely meet the real needs which lie the demand, is practically entirely Jewish would be to empower the Jewish

and other communal organizations - when constituted, to contribute to these funds either a lump sum per annum or a capitation grant. This money would be derived from taxation of the members of the communities that would benefit, but would not pass through Government channels.

3. The Secretary of State Circular Dated 1st is the copy of the Draft Convention are returned herewith.

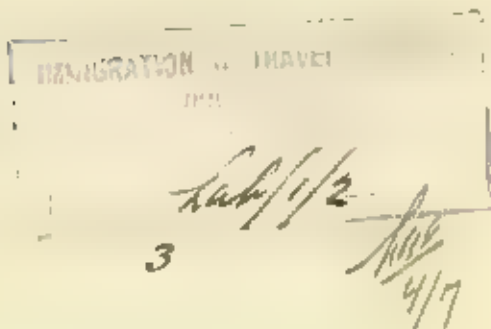
Albert M. Thompson
Chief Registration Officer

3 July 1931

Government of Palestine

48

I/333/31



*Chief Secretary's Office,
Jerusalem,
Palestine.*

3rd July, 1931.

To Chief Immigration Officer.

38

I am directed to inquire whether a reply can now be sent to my letter
No. I/333/31 *of the 29th May, on the subject*
of Creation of minimum wage fixing machinery.

S. MOODY
for CHIEF SECRETARY

1000

GA

CHIEF SECRETARY.

Subject : Health Insurance.

Reference : I/33/4/31 of 29.5.31.

Consideration has previously been given to suggestions for the introduction into Palestine of general legislation imposing the insurance of employees against illness, but the view has hitherto been held that it would be premature at present to introduce any such legislation. If adopted it would have to apply to the whole of the working population and in so far as a large portion of that population is concerned it would inevitably prove a dead letter. Apart from this objection the adoption of the draft conventions for Palestine would in part be relatively unnecessary so long as the present widespread system of hospital services continues. In present circumstances there must be few sick working men and women who are unable to obtain free medical attendance from one source or another.

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It is/

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5. The Secretary of State's Circular Despatch and the copy of the Draft Conventions are returned herewith.

Sgd. A.M. HYAMSON.

CHIEF IMMIGRATION OFFICER.

Copy on 2/14

Government of Palestine

Chief Secretary's Office,
Jerusalem,
Palestine.
2 11 June, 1931.

IMMIGRATION & TRAVEL SECT
JEL
12 JUN 1931
Reg. No. 216/12

Number I/280/31.

To Chief Immigration Officer,

Reference to previous correspondence:

I/280/31 17.5.5. 31

The undermentioned documents are forwarded herewith for ^{information}~~reference~~ and ^{retention}~~reference~~.

S. MOODY
Chief Secretary

Subject Application to the non-self-governing dependencies of the International Labour Conventions.

Date	Reference Number	Description
16. 5. 31	Circular (2)	Circular despatch from the Colonial Office, with enclosure in original.

10-2

10-2



1/280/31

Downing Street,

16th May, 1931.

Sir,

-37a

With reference to my Circular despatch of the 2nd of April in regard to the application to the non-self-governing dependencies of the International Labour Conventions to which His Majesty's Government in the United Kingdom is a party, I have the honour to transmit to you the accompanying extract from the Report of a "Committee of Experts" appointed by the Governing Body of the International Labour Office to examine the reports furnished by Governments under Article 408 of the Treaty of Versailles on the International Labour Conventions which they have ratified.

2. The terms of this Report afford a striking indication of the increasing interest which is taken by the International Labour Organization in the question of the application of these Conventions to the dependencies of Colonial Powers, to which I referred in the 2nd paragraph of my Circular despatch referred to above.

3. There can, I think, be little doubt that the Governing body will, at any rate in substance, accept the proposals of the Committee of Experts in the matter of the information which Governments will be asked to supply in future annual reports. I have accordingly to invite your special reference to paragraph 18 of my Circular despatch of the 2nd of April. I trust that the information which will be given and the views which you will express, as requested in that paragraph, will enable me fully to meet the desires of the Governing Body so far as the territory under your administration is concerned.

4. In view of the large number of dependencies involved, the compilation in the Colonial Office of an exhaustive report of the kind indicated will be a task of considerable magnitude, particularly as I shall wish very carefully to scrutinize any reasons given by Colonial Governments as to the inapplicability of any of the Conventions to the territories

The Officer Administering
the Government of

under their administration. I accordingly have to request that your reply to my Circular despatch of the 2nd of April may be despatched in time to arrive in the Colonial Office without fail by the end of September.

5. It would be convenient if I could be furnished in the same despatch with your observations as to the applicability to the territory under your administration of the following further Conventions which I have communicated to you recently :—

(A) Convention concerning the creation of minimum wage fixing machinery.

(My Circular despatch No. 2 of the 8th of April.)

(B) Conventions concerning sickness insurance for—

(i) workers in industry and commerce and domestic servants ; and

(ii) agricultural workers.

(My Circular despatch No. ¹⁰2 of the 8th of April.)

(C) Convention concerning seamen's articles of agreement. (My Circular despatch of the 11th of April—maritime dependencies only.)

6. In view of this review, it will be unnecessary for you to render a further report by the beginning of December in accordance with the request in my Circular despatch of the 29th of April, 1930, unless any change in the position as regards the application of any of these Conventions to the territory under your administration has taken place in the meantime.

I have the honour to be,

Sir,

Your most obedient, humble servant,

PASSFIELD.

Extracts from the Report of the Committee of Experts appointed by the Governing Body of the International Labour Office to examine the reports furnished by Governments under Article 408 of the Treaty of Versailles on the International Labour Conventions which they have ratified.

* * * * *

(e) This year the Committee specially asked one of its members to study the question of the application of the Conventions to colonies. The study was very carefully made, and the Committee of Experts is accordingly able to put forward certain special considerations. It should be noted, in the first place, that, in accordance with a suggestion made by the Committee, this year's reports go into colonial questions in more detail than previously. This makes it easier to form some idea of the difficulties which the application of certain Conventions to certain colonies presents at the present time, though it may be hoped that in time and with the good will of the Colonial Powers those difficulties may be diminished or removed. The fact that certain Conventions are already regularly applied, either completely or with modifications, to certain colonies would seem to show that there is no insuperable obstacle in the way of their more general application, especially if it be noted that Conventions which are applied to certain colonies are not applied to other colonies belonging to another Power but having practically identical conditions of latitude, climate, population, and customs. The Committee draws the special attention of the Governing Body to this point.

It is, moreover, becoming increasingly difficult to be satisfied with the statement that "local conditions" prevent the application of Conventions, and some clear definition of those conditions seems to be necessary. Some reports, for example, mention among local conditions accepted customs of long standing, or the fear that certain measures, such as the prohibition of the night work of women, might disorganize the labour market in certain industries, or the alleged fact that night work is less tiring than day work in certain climates. It would be interesting to know whether similar reasons are included among "local conditions" in other colonies, and it may well be asked whether a fuller study of the question would not lead to the conclusion that the Conventions might perhaps be less difficult to apply than might at first sight appear.

Under paragraph 2 of Article 421, each State Member undertakes to notify to the International Labour Office the action taken in respect of each of its colonies as regards the application of Conventions. It is thus not too much to ask States to notify their decision in the case of each colony or protectorate and to furnish sufficient explanations to enable the Committee to submit to the Governing Body and the Conference a general view from which reliable conclusions could be drawn. All the States Members would thus be enabled to benefit by the experience acquired by some of their number, and progress of great importance might thus be achieved. As has already been pointed out in the past, this is the main object of Article 408, and the reason why it is of such great value in promoting the progress of the International Labour Organization.

As a result of its discussion on the question of the application of Conventions to colonies, the Committee of Experts proposes that the Governing Body should amplify the point in the report form dealing with colonies as follows:—

"Please state in accordance with Article 421 of the Treaty of Versailles and the corresponding Articles of the other Treaties of Peace, the colonies, protectorates, and possessions to which the Convention has been applied, without modification.

"If the Convention has been applied with modifications to any colony, protectorate, or possession, please specify such colonies, protectorates, and possessions, stating in each case the nature of the modifications.

"Please indicate the colonies, protectorates, and possessions to which it has been decided not to apply the Convention because it is regarded as inapplicable on account of local conditions.

6
“ If local conditions have influenced the decision not to apply the Convention to colonies, protectorates, or possessions, or to apply it subject to modifications, please indicate in detail the nature of such local conditions, whether they are due to geographical position, climate, the nature of the work, custom, religion, etc., or any other cause of a specifically local character, together with the Government's views concerning the means of reconciling such conditions with social progress and the well-being of native workers.

“ Please add any further information on the question, and where this has not already been done please communicate to the International Labour Office all legislation, reports, etc., relating to the application of the Convention, or, if the Convention has not been applied, to the subject dealt with by the Convention.”

* * * * *

14

Government of Palestine

40

In case of reply
please quote the
date of this letter
and the following

I/280/31.

Chief Secretary's Office,
Jerusalem,
Palestine.
5 JUN 1931
Reg. No. 142/42

June, 1931.

Chief Immigration Officer.

I am directed to invite your attention to the Secretary of State's Circular despatch of the 2nd April, 1931, in regard to the application to the non-self-governing dependencies of the International Convention to which His Majesty's Government in the United Kingdom is a party.

This was sent under cover of my transmission slip I/280/31 of the 5th May.

I now forward a copy of the earlier Circular despatch of the 29th April, 1930, referred to in it.

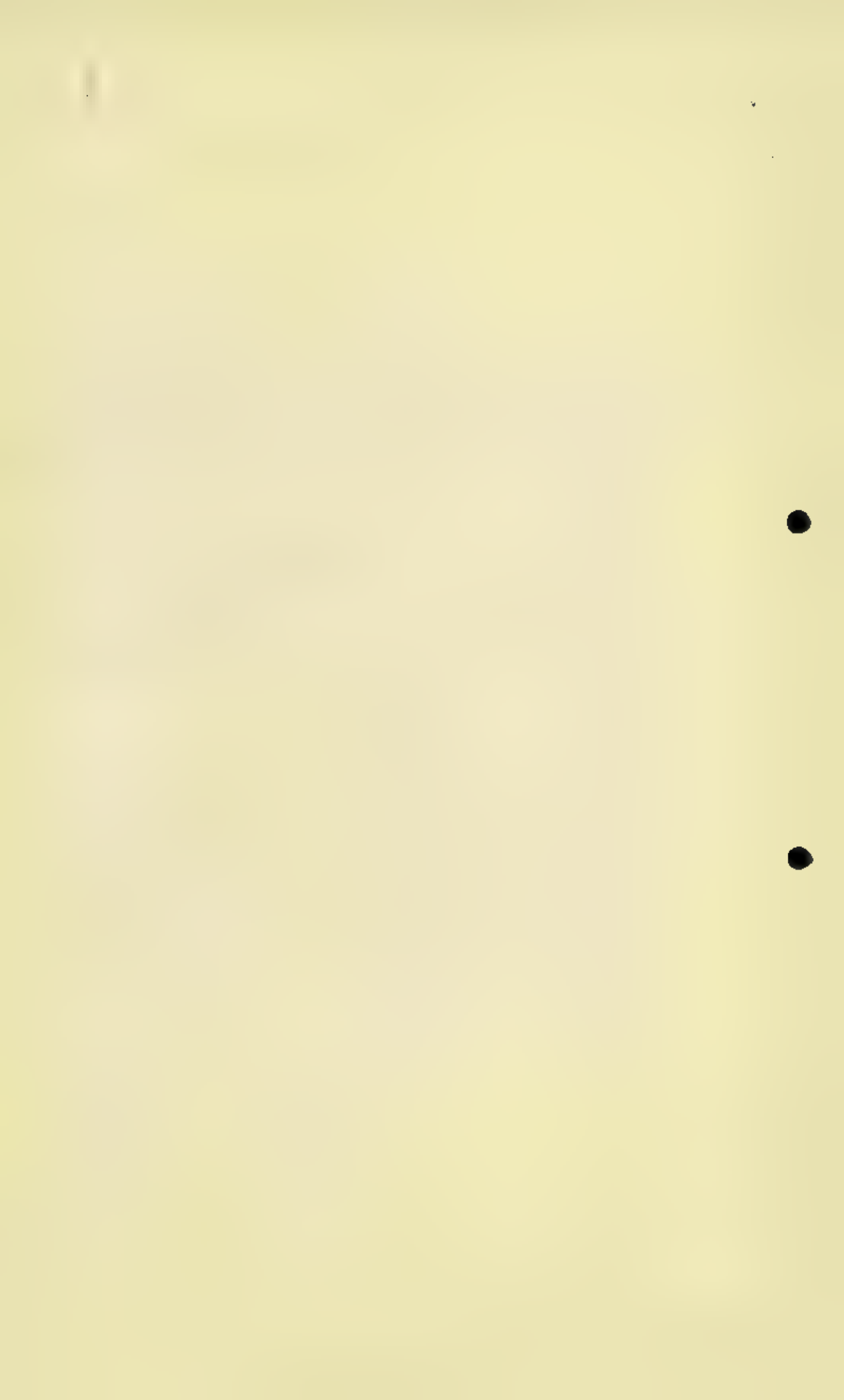
2. I am to ask that you will undertake, at your convenience, the further examination of the position as regards the application in Palestine of each Convention, in accordance with the wishes of the Secretary of State expressed in paragraph 12 of the Circular despatch of the 2nd April, 1931, giving precise references to the provisions of the relevant local legislation already in operation (see paragraph 18 of the despatch) and pointing out inaccuracies, if any, as regards Palestine in the report enclosed in the despatch.

3. It is recognised that much of the ground is already covered by the statement on Labour Legislation in Palestine included, on the basis of your draft, in the 1930 Annual Report.

4. Copies of the Circular despatches and Conventions referred to in the last paragraph of Lord Passfield's Circular despatch of the 29th April, 1930, are being obtained.

for an answer

for CHIEF SECRETARY.



Downing Street,
29th April, 1930.

Sir,

I have the honour to invite your attention to the fact that under Article 408 of the Treaty of Versailles each Member of the International Labour Organisation is under an obligation to make an annual report to the International Labour Office on the measures which have been taken to give effect to the provisions of International Labour Conventions to which it is a party.

2. The annual reports rendered by this country include paragraphs in regard to the measures taken in Colonies, etc., to which the Conventions have been applied (with or without modifications, in accordance with Article 421 of the Treaty.

3. It not infrequently happens that in the course of time the Government of a Colony, to which it had not been considered practicable to apply the stipulations of one of these Conventions, finds it possible to give effect to them; in other cases the Government of a Colony which had adopted legislation applying one of these Conventions with modifications finds it possible to bring its legislation into closer accord with the provisions of the Convention.

4. Experience has shown, however, that generally speaking changes of this kind arise naturally in the ordinary course of industrial progress in the territory concerned rather than by virtue of the existence of these Conventions; and the fact that the changes involve, or at any rate would have rendered possible, the application, or closer application of the provisions of an international

Labour Convention, appears sometimes not to be appreciated in the territory concerned, with the result that no reference to the relevant Convention is made in the despatches in which the Secretary of State is informed of changes which have been made, or ⁱⁿ which his approval for proposed changes is sought. Accordingly, although, so far as is practicable, care is taken in the Colonial Office to note such changes for inclusion in the annual report to the International Labour Office it is difficult to ensure that these reports are complete.

5. I have, therefore, to request that whenever proposals are submitted to me for approval, whether in the form of draft legislation or otherwise, in connection with matters dealt with in international Labour Conventions the proposals should be accompanied by a statement as to the extent to which they involve the application of the stipulations of such Conventions. In cases where it is considered impracticable to apply the relevant Convention without modification, the reasons why it is so considered should be clearly stated.

6. I have also to request that I may be furnished with an annual report, which should reach the Colonial Office at the beginning of December, as to the Conventions which have been applied to the territory under your administration and as to the measures which have been taken to give effect to their provisions. The report to be made next December should contain a full, but concise, review of the position as at the beginning of this year, with a note as to any changes which may have been introduced during the year. In the case of subsequent reports it will be sufficient to enumerate the changes which may have been introduced during the year under review.

7. The Conventions on which annual reports are required to be made are (at present) those which formed the enclosures to my predecessor's Circular despatches of the 15th of August, 1921, the 6th of November, 1923, the 30th of October, 1925, and the 17th of May, 1927.

I have, etc.
(sgd) Pns-field

Government of Palestine

39

In case of reply
please quote the
date of this letter
and the following

DI/333/31.

Chief Secretary's Office,

Jerusalem,

Palestine.
May, 1931.

Chief Immigration Officer.

I am directed to forward herewith
a copy of the Secretary of State's despatch
Circular (2) of the 8th April with the enclosures,
regarding the International Labour Convention in
respect of the creation of ~~a~~ minimum wage fixing
machinery. 36

I am to ask for your observations as
to the possibility of applying this Convention in
Palestine. 37a

You are already in possession of the
Secretary of State's Circular despatch of the 2nd
April, 1930, which is relevant in this connection.

I am to ask that you will return the
enclosures to the despatch with your reply.

W. G. A. M. S.

For ACTING CHIEF SECRETARY.

PP

Downing Street,

8th April, 1931.

Sir,

I have the honour to transmit to you the accompanying copy of a Parliamentary Paper, Cmd. 3209, containing the texts of a Convention concerning the creation of minimum wage fixing machinery, and a Recommendation concerning the application of such machinery, which were adopted by the International Labour Conference at its Eleventh Session in June, 1928.

2. This Convention has been ratified by His Majesty's Government in the United Kingdom, and it is accordingly necessary, in accordance with Article 421 of the Treaty of Versailles, to consider whether it is applicable (with or without modifications) in the non-self-governing Colonies, Protectorates, and Mandated Territories. In my Circular despatch of the 2nd of April I have drawn your attention to the nature and extent of the obligations of His Majesty's Government in the United Kingdom under that Article in regard to the "application" of such Conventions.

3. I have accordingly to request that I may be furnished with your observations as to the possibility of applying this Convention in the territory under your administration.

4. The Recommendation has also been accepted by His Majesty's Government in the United Kingdom, subject to the reservation indicated in Cmd. 3337 of which a copy is also enclosed.

I have the honour to be,

Sir,

Your most obedient, humble servant,

PASSFIELD.

*The Officer Administering
the Government of*

Government of Palestine

420

38

To me of reply
please quote the
date of this letter
and the following

121/334/31.

Chief Secretary's Office,

Jerusalem,

Palestine

May, 1931.

20 MAY 1931

Reg. No.

57

290

Chief Immigration Officer.

I am directed to forward herewith a copy of the Secretary of State's Circular despatch of the 10th April ^{with enclosure} with regard to the International Labour Conventions concerning sickness insurance for workers in industry and commerce and domestic servants, and sickness insurance for agricultural workers.

I am to ask that if possible you will furnish your views, in advance of your departure on leave, as to the possibility of applying these two Conventions in Palestine so that this advice may be available for the information, if necessary, of the Committee which has been appointed and which will in due course meet to consider the amendment of the Labour Legislation of Palestine.

The enclosures should be returned with your reply.

Hea. Bureau

for ACTING CHIEF SECRETARY.

JPA

CIRCULAR.

Downing Street,
10th April, 1931

Sir,

I have the honour to transmit to you the accompanying copy of a Paper, containing pages (134-148) the texts of two conventions concerning, respectively, sickness insurance for workers in industry and commerce and domestic servants, and sickness insurance for agricultural workers, and recommendation concerning the general principles of sickness insurance, which were adopted by the International Labour Conference at its Tenth Session in June 1927.

2. These conventions have been ratified by His Majesty's Government in the United Kingdom and it is accordingly necessary, in accordance with Article 421 of the Treaty of Versailles, to consider whether they are applicable (with or without modifications) in the Non-Self-governing Colonies, Protectorates, and Mandated Territories. In my circular despatch of the 2nd of April I have drawn your attention to the nature and extent of the obligations of His Majesty's Government in the United Kingdom, under that Article, in regard to the "application" of such conventions.

3. I have accordingly to request that I may be furnished with your observations as to the possibility of applying these two Conventions in the Territory under your administration.

4. His Majesty's Government in the United Kingdom have also accepted the Recommendation.

I have the honour to be,

Sir,

Your most obedient, humble servant,

PASSFIELD.

The Officer Administering
the Government of

COPY

FE

1933 1934 1935 1936 1937 1938 1939 1940 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751

15. 15.000

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

1. *Adaptation to the environment*

7. 11. 1941, Sunday, 21

37

Jerusalem,

2 Palestine.

May, 1931.

6 MAY 1931

402 40

4

The undermentioned documents are forwarded herewith for ^{information} ~~absorption~~ and ^{retention} ~~action~~ ^{and action when necessary}

S. MOODY

per Chief SECRETARY

Subject Application to non-self-governing Dependencies of the
 International Labour Conventions.

<i>Date</i>	<i>Reference Number</i>	<i>Description</i>
2nd April, 1931	Circular	Despatch from the Secretary of State with enclosure.

27

4

CIRCULAR.

SECRETARIAT

RECEIVED

16 APR. 1931

File N

1/280/3

Downing Street,

2nd April, 1931.

Sir,

With reference to my Circular (2) despatch of the 29th of April, 1930, in regard to the application to the non-self-governing dependencies of the International Labour Conventions to which His Majesty's Government in the United Kingdom is a party, I have the honour to transmit to you the accompanying copy of a report which I have furnished to the Minister of Labour for transmission to the International Labour Office.

In many respects the report falls short of the requirements of the International Labour Office, the Governing Body of which had particularly requested that as full information as possible should be given in respect of the application of each Convention to each Colonial dependency, and in particular that, as far as possible, an indication should be given (in respect of each dependency concerned) as to the nature of the conditions which may have led to the decision not to apply any Convention, or to apply it with modifications.

2. It is perhaps not realized by Colonial Governments that the annual reports of States Members of the International Labour Office, which are rendered in accordance with Article 408 of the Treaty of Versailles, are subjected to a critical examination by a Committee at each annual session of the International Labour Conference. These Committees at recent sessions of the Conference have displayed an increasing interest in the question of the application of the Conventions to the dependencies of Colonial Powers, as required by Article 421 of the Treaty.

3. Having regard to the number of dependencies and the number of Conventions involved, it will be appreciated that the compilation of an exhaustive report of the kind desired by the Governing Body of the International Labour Office would be a task of some magnitude even if full information were furnished by the Government of each dependency. It will, however, be seen from the enclosed memorandum that, even with the assistance of the replies to my Circular (2) despatch of the 29th of April, the extent to which I have been able to meet the wishes of the Governing Body is by no means satisfactory. This has been due to a variety of causes, to which it is perhaps desirable that I should refer in some detail.

4. In the first place, in my Circular (2) despatch of the 29th of April I asked that the reports of Colonial Governments should reach the Colonial Office at the beginning

The Officer Administering
the Government of

of December. In a very large number of cases this request was not complied with; and even on the 15th of January, by which date the report of His Majesty's Government was due in Geneva, replies from seven dependencies were still outstanding. In those cases, therefore, my officers were thrown back on to the procedure of examining the provisions of the relevant legislation in those dependencies.

5. In the second place, the majority of Colonial Governments merely replied by reference to their replies to earlier Circular despatches relating to the individual Conventions. It will be appreciated that, in the aggregate, the labour involved in reviewing this mass of correspondence was considerable. Moreover, it was found that in a very large number of cases no reasons were given for the opinion of a Colonial Government that this or that Convention was not applicable to the territory under its administration.

6. It seems clear that to a large extent this has been due to an imperfect appreciation in the past, on the part of Colonial Governments, as to the meaning of the word "apply" in Article 421 of the Treaty of Versailles, and generally as to the nature of the obligations which were assumed by His Majesty's Government under that Article.

7. As regards the meaning of the word "apply," many Colonial Governments appear to be under the impression that some formal act, in the nature of a notification of "accession" or "adherence," is involved. In one case, in fact, the Governor reported that after a long and protracted search through the files in the Secretariat it had been ascertained that his Government had not "adhered" to any of the Conventions. No provision exists, in the case of these Conventions, for any formal "accession" or "adherence" by Colonies, etc. For the purpose of the annual report now under consideration, the question whether a Convention has been applied in any particular colony is merely a question of fact, viz., as to whether the provisions of the Convention have been put into operation either in whole or in part by means of appropriate legislation. As an illustration of the misconception to which I have referred, I may mention that in some cases Colonial Governments have reported that they had been informed by my predecessors that certain of the Conventions had been "applied" to the territories under their administration but that "no action has been taken to introduce legislation applying the provisions of the Convention." In such cases of course the relevant Conventions have not been "applied."

8. In yet other cases, in which Colonial Governments reported that certain Conventions had not been applied, it was found on examination of the local legislation in this Department that the provisions of certain of the Conventions were in fact in operation in the Colonies concerned. In such cases it has been stated in the enclosed report to the International Labour Office (with suitable qualifications) that these Conventions have been applied in the Colonies concerned.

9. As an example of this, I may refer to the Convention concerning Workmen's Compensation in Agriculture. It will be seen from the enclosed report that in a number of dependencies there are "Employers' Liability Ordinances." These Ordinances are substantially identical and each contains a provision including "servants in husbandry" among the "workmen" who are entitled to the benefits of the Ordinance.

On the strength of this, several of the Colonial Governments concerned have reported (quite correctly, in my opinion) that (within the limited scope of this legislation) the Convention in question has been applied, but others have reported (incorrectly) that the Convention has not been applied.

10. So much for the meaning of the word "apply" and the questions of fact involved. I will turn now to the question of the obligations of His Majesty's Government under Article 421 of the Treaty of Versailles. It will be recalled that in Memorandum C.2/1 which was prepared for consideration at the recent Colonial Office Conference the position was summed up as follows:—

"It should be clearly understood that, while it is legitimate to have regard to economic (among other) considerations when considering the applicability to a tropical dependency of a Convention which has been drafted with regard to conditions in industrial countries in temperate climates, His Majesty's Government are under a moral obligation to apply any Conventions which they have ratified to the largest extent and with the smallest possible modifications to the Colonies, Protectorates, and Mandated Territories."

11. It is quite clear to me that many Colonial Governments have not approached the question of the applicability of these Conventions to the territories under their administration in the spirit of the statement quoted in the previous paragraph. In reading through the despatches from Colonial Governments in reply to the various Colonial Office Circular despatches relating to these Conventions, one frequently meets with such sentences as the following: "It is not desired that the Convention should be applied to this Colony," or "the number of persons who would benefit by the application of this Convention is not large." In some cases the Governments of geographically contiguous dependencies, with similar social and industrial conditions, have expressed diametrically opposite views as to the applicability of a Convention.

12. It is however only fair to recognize that, in the past, Colonial Governments have perhaps not received adequate guidance as to the positive nature of the obligations entailed by Article 421 of the Treaty of Versailles. I find in fact that in one or two cases dependencies which were prepared to enact legislation embodying the provisions of certain of these Conventions were discouraged from doing so, for the sake of preserving uniformity with neighbouring dependencies which were reluctant to do so. This was perhaps due to the positive nature of the obligations entailed by Article 421 of the Treaty of Versailles having been imperfectly appreciated in the Colonial Office. However this may be, I am by no means satisfied as to the extent to which these Conventions have been applied, as revealed by my recent review of the position, and I have to request that the position as regards the application of each Convention should forthwith again be examined by the Government of each dependency in the light of the observations in this despatch.

13. My conception of the spirit in which Colonial Governments should consider their obligations in regard to these Conventions, and some of the difficulties in which His Majesty's Government is placed vis-à-vis the International Labour Office by the present situation, can perhaps be made more clear by a few actual examples. I wish

to make it clear, however, that when illustrating my remarks by reference to particular dependencies I do not wish it to be understood that I desire to single them out for particular criticism or commendation. It is merely that this affords the most convenient method of illustrating my views.

14. It will be seen that the Convention concerning the employment of women during the night has been applied in Hong Kong and in Ceylon. This being the case, I find the greatest difficulty in believing that this Convention could not equally be applied in (say) the Straits Settlements. It is at any rate very difficult to formulate any reason for its non-application to that Colony which could possibly carry conviction at Geneva.

15. Another example. In 1921 the Government of one of the East African dependencies expressed the view that there was "no necessity" for the Conventions relating to the minimum age for the admission of children to industrial employment, and to the night work of young persons, to be applied locally, and accordingly no action was taken. Since that date, as a result of the report of a local commission which was set up to enquire into an important local industry, legislation has been enacted which gives effect to a large extent to the stipulations of these two Conventions. In this connexion it is worthy of note that the legislation in question was not passed with specific reference to the Conventions but was based on legislation in force in the Sudan. My view is that if the Government of the dependency in question had properly appreciated its obligations under Article 421 of the Treaty of Versailles, which I have now endeavoured to make clear, this legislation (which has now been shown to be desirable, on merits, without reference to the Conventions) would have been passed nearly ten years ago on the initiative of the Government. Moreover, the fact that that legislation has now been enacted renders it impossible now to formulate any convincing reasons why the Conventions should not be applied in a neighbouring dependency where the same industry is carried on under similar conditions.

16. It will be observed that in the enclosed report on the Conventions relating to the industrial employment of women and young persons during the night, it is stated that "in the great majority of the non-self-governing dependencies, where the greater part of the population is engaged in agricultural pursuits, the question of the employment of women in industrial undertakings during the night does not arise." It is true that this passage was inserted in the Report of His Majesty's Government to the International Labour Office at my instance, and is, I think, a fair summary of the views of Colonial Governments. I am, however, bound to say that I do not regard it as an adequate reason for the non-application of these Conventions in the great majority of the dependencies. The fact is that there are few even "purely agricultural" countries in which there are no factories or workshops whatever where women and young persons are employed, and in this age of progressive industrialization it is surely prudent (quite apart from the question of international obligations) to take steps which will prevent social evils rather than to wait till they have arisen.

17. I have dwelt at some length on the three Conventions relating to the industrial employment of women and children in order to give Colonial Governments some idea of the spirit in which His Majesty's Government desire them to approach the review of the application of all these Conventions, and it is accordingly unnecessary for me to enter

into any detailed discussion of the others, though of course similar considerations apply. As regards the various Conventions relating to Workmen's Compensation, however, I wish to take this opportunity of saying that the fact that I did not mention them in my Circular despatch of the 17th of September (in which I asked you to consider the question of introducing Workmen's Compensation Legislation on the lines of the Mauritius Bill) was not intended to imply that they need not be taken into consideration.

18. In again reviewing the question of the possibility of the application of these Conventions, Colonial Governments should take full account not only of the social and industrial developments which have occurred in the territories under their own administration, but also of the relevant legislation in territories in which similar social and industrial conditions exist since the Conventions were formulated. They should also bear in mind the present tendency, referred to above, towards the increase of industrialization. I should be glad if, when reporting the result of this fresh review, Colonial Governments will give precise references to the provisions of the relevant local legislation already in operation, as well as a clear and concise statement as to the reasons for their views in cases where any of the Conventions are still considered to be inapplicable, or as to the modifications which may be considered to be necessary. A separate report should be rendered on each Convention. I should also be glad to be informed of any inaccuracies which may be detected in the enclosed report, as it is conceivable that in a few cases where the information in the report has been based on the Colonial Office review of the local legislation, rather than on statements furnished by Colonial Governments, the precise effect of the provisions of this legislation may have been misinterpreted.

19. It is now possible to supplement the information in the enclosed report by the statement that the Government of Cyprus has agreed to introduce legislation to give full effect to the Conventions relating to the Age of Admission to Industrial Employment, and the Night Work of Young Persons.

20. In this despatch I have endeavored to indicate the general principles involved with sufficient precision to enable Colonial Governments to form correct conclusions on various points raised in the replies to my Circular (2) despatch of the 29th of April. In the circumstances I do not intend to reply individually to those despatches. If, however, there are still any points on which Colonial Governments wish further guidance, I shall be happy to do my best to furnish it.

21. I propose shortly to address you, by Circular despatch, in regard to the Conventions relating to Seamen's Articles of Agreement, and the creation of minimum wage fixing machinery, as well as in regard to two further Conventions which have now been ratified by His Majesty's Government in the United Kingdom.

I have the honour to be,

Sir,

Your most obedient, humble servant,

PASSFIELD.

MEMORANDUM.

7-4

(1) Convention Concerning Unemployment.

This Convention has not been applied in any of the non-self-governing dependencies. The Convention is based on conditions in highly organized industrial communities and is not applicable to conditions in tropical countries where the majority of the population are peasants, engaged in agricultural pursuits on their own or their tribal lands; or where (as in many cases) wage-earning employment is largely supplemented by such occupations. In the few Colonies which are dependent on imported or immigrant labour, special arrangements are in force for co-ordinating the supply of labour to the local requirements. Except in very exceptional circumstances, there is little "unemployment" as understood in Europe, and when such circumstances arise it is necessary to take special measures to meet them.

(2) Convention concerning Employment of Women during the Night.

This Convention has been applied in the following dependencies:—

GOLD COAST.—Cap. 101, Revised Ordinances, 1928.

PALESTINE.—Ordinance No. 53 of 1927.

CEYLON.—Ordinance No. 6 of 1923.

GILBERT AND ELLICE ISLANDS COLONY.—King's Regulation No. 1 of 1915.

BRITISH SOLOMON ISLANDS PROTECTORATE.—Labour Regulation 1921.

HONG KONG.—Ordinance No. 22 of 1922, as amended by Ordinance No. 24 of 1929. (By a regulation under this Ordinance the employment of women is prohibited in any industrial undertaking between 9 p.m. and 7 a.m. This slight modification of the provisions of the Convention is regarded as appropriate to the social and industrial conditions in Hong Kong.)

TRINIDAD.—Cap. 154, Revised Ordinances, 1925.

MALTA.—Act No. 21 of 1926.

In the great majority of the non-self-governing dependencies where the greater part of the population is engaged in agricultural pursuits the question of the employment of women in industrial undertakings during the night does not arise.

In certain of the sugar-producing Colonies work in the factories during the "crop season" is carried on continuously by day and night. The employment of women in this industry has been customary for over two centuries, and its prohibition would cause an appreciable dislocation in the local labour market and would be resented by the labouring population. There is the further consideration, that in a tropical climate labour during the night hours is less exhausting than during the day.

(3) Convention fixing the Minimum Age for admission of Children to Industrial Employment.

This Convention has been applied in the following dependencies:—

CEYLON.—Ordinance No. 6 of 1923.

GILBERT AND ELLICE ISLANDS COLONY.—King's Regulation No. 1 of 1915.

MALTA.—Act No. 21 of 1926.

It has been applied with modifications in:—

UGANDA.—Ordinance No. 13 of 1930.

GOLD COAST.—Cap. 101, Revised Ordinances, 1928.

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CYPRUS.—Ordinances 17 of 1928, 35 of 1928, and 6 of 1930.

PALESTINE.—Ordinance No. 53 of 1927.

HONG KONG.—Ordinances Nos. 22 of 1922 and 24 of 1929 (and Regulations thereunder).

STRAITS SETTLEMENTS.—By rules under Ordinance No. 17 of 1927.

FEDERATED MALAY STATES.—By rules under Enactment No. 1 of 1922 as amended by Enactment No. 12 of 1923.

NORTH BORNEO.—Labour Ordinance, 1929.

TRINIDAD.—Ordinance No. 4 of 1927.

ST. LUCIA.—Ordinance No. 44 (1916 Revision).

For the greater part the modification made in the Convention is the substitution of the age of 12 for the age of 14 laid down in the Convention as the minimum age of admission of children to industrial employment. The age of 12 is, however, the age prescribed in the Convention in the case of India, and it is regarded as suitable for adoption in other tropical countries in which children mature at an early age.

In two of the above-mentioned dependencies, however, the modifications are of a different character :—

In the GOLD COAST, no minimum age is fixed for the employment of children within the limits of the administration, but every contract of service has to be attested before a District Commissioner, who has to satisfy himself that the contract has been read over and explained to the employee and that it was entered into by him voluntarily and with full understanding of its meaning and effect. Contracts of service for work outside the limits of the administration can only be entered into by persons over the age of sixteen years.

Provision is made for a child between the age of 9 to 16 years to be apprenticed to any trade in which art or skill is required. All contracts of apprenticeship have to be by deed attested before a Judge or District Commissioner.

In ST. LUCIA every person is subject to a penalty who causes a child under the age of 12 years to carry a load or perform any manual labour whatsoever which the child is unfit to carry or perform, or the carrying of which is likely to injure the child.

In NORTH BORNEO the minimum age of admission to certain industries is 16. It is now proposed to fix the age of admission to all other industrial undertakings at 14.

In certain of the dependencies in which the minimum age for industrial employment is fixed at 12 years there are further provisions restricting the employment of older children in certain industries, e.g.,

In UGANDA the Governor is empowered to make regulations (*inter alia*) to fix the hours of work and other conditions, to prescribe special precautions in regard to machinery, in factories in which children between the ages of 12 and 14 may work.

In PALESTINE no child under 16 years of age may be employed (*a*) in trades declared by the High Commissioner to be "dangerous" (e.g., any trade in which white lead is employed, the making and finishing of mirrors, the manufacture of asphalt or bitumen, or (*b*) on the work of cleaning machinery while in motion. No child under 16 may be allowed to work in an industrial undertaking for more than 5 hours continuously, or for more than 8 hours in any period of 24 hours.

In HONG KONG no young person under 18 years of age may be employed in a "dangerous" trade (boiler chipping, manufacture of fireworks, glass making, lead processes, or vermilion manufacture). No child under 12 is allowed to work in any industrial undertaking for more than 5 hours continuously or for more than 9 hours in 24.

In the STRAITS SETTLEMENTS the Governor-in-Council has power to prohibit the employment of children under 14 in any industry in which unsatisfactory conditions may arise. In addition by Ordinance No. 42 (Machinery), no children under 16 may be employed in attendance on machinery. Similar provisions are in operation in the FEDERATED MALAY STATES.

(4) Convention concerning the Night Work of Young Persons employed in Industry.

This Convention has been applied with modifications in the following dependencies :—

HONG KONG.—Ordinance 22 of 1922 as amended by Ordinance 24 of 1929 (and Regulations thereunder). (With the modification that the employment of young persons (i.e., under the age of 18) is prohibited between 9 p.m. and 7 a.m., instead of during the night as defined in the Convention. The Regulations also prohibit the employment of children under 15 between 7 p.m. and 7 a.m.)

FEDERATED MALAY STATES.—By rules under Enactment No. 1 of 1922 as amended by Enactment No. 12 of 1923. (The rule prohibits the employment of any child under 14 in any godown, factory, or workshop after 4 p.m.)

UGANDA.—Ordinance No. 13 of 1930. (Prohibits the employment of children under 14 in factories and workshops between 7 p.m. and 5 a.m.)

CYPRUS.—Ordinances No. 17 of 1928, 35 of 1928, and 6 of 1930. (Prohibit the employment of young persons under 16 during the night, as defined in the Convention.)

PALESTINE.—Ordinance No. 53 of 1927. (No child under 16 may be employed in any industrial undertaking between 7 p.m. and 6 a.m.)

CEYLON.—Ordinance No. 6 of 1923. (By this Ordinance the provisions of the Convention were applied in Ceylon except in respect of male young persons over 14 years of age. This is one of the modifications allowed by Article 6 in the case of India.)

MALTA.—Act No. 21 of 1926. (The Act prohibits the employment of boys under 16, or girls under 18, between 8 p.m. and 5 a.m. without a special permit from the Minister in charge of the Department of Labour.)

In the majority of the non-self-governing dependencies, especially in those where the greater part of the population is engaged in agricultural pursuits, the question of the employment of young persons during the night does not arise.

(5) Convention fixing the Minimum Age for admission of Children to Employment at Sea.

This Convention has been applied in the following dependencies :—

GOLD COAST.—Cap. 101, Revised Laws, 1928.

CEYLON.—Ordinance No. 6 of 1923.

GILBERT AND ELLICE ISLANDS COLONY.—King's Regulation No. 1 of 1915.

It is also now proposed to apply the Convention in NORTH BORNEO by a Rule under the Shipping Ordinance.

In the majority of the non-self-governing maritime dependencies few, if any, children are employed at sea except in so far as they may accompany their parents in small native vessels.

(6) Convention concerning Unemployment Indemnity in case of Loss or Foundering of the Ship.

This Convention has been applied to the following dependencies :—

CYPRUS
MAURITIUS
SEYCHELLES
FIJI
STRAITS SETTLEMENTS
JAMAICA
TRINIDAD
BERMUDA

Order in Council dated
the 25th of July, 1927.

MALTA.—Act No. 9 of 1929.

Legislation is now contemplated, to apply the Convention, in the case of :—

CEYLON.
NORTH BORNEO.
HONG KONG.

(7) Convention concerning the Rights of Association and Combination of Agricultural Workers.

There is no legislation in the non-self-governing dependencies discriminating against agricultural workers in the matter of rights of association. The Convention can accordingly be regarded as applying to these dependencies.

(8) Convention concerning Workmen's compensation in Agriculture.

Workmen's compensation (or employers' liability) legislation exists in the undermentioned dependencies :

WORKMEN'S COMPENSATION.

Cyprus.—Law No. 12 of 1925.

Malta.—Act No. 6 of 1929.

Palestine.—Ordinances Nos. 4 and 19 of 1927.

Trinidad.—Ordinance No. 8 of 1926.

Northern Rhodesia.—Ordinance No. 16 of 1930.

(In certain cases this legislation is limited in scope, e.g., the Law of Cyprus is confined to compensation for injuries in mines, and the Northern Rhodesian Ordinance is confined to non-native workmen.)

EMPLOYERS' LIABILITY.

Barbados.—Law No. 7 of 1896.

British Guiana.—Ordinance No. 21 of 1916.

Gibraltar.—Ordinance No. 10 of 1924.

Grenada.—Cap. 146, Revised Laws, 1911.

Jamaica.—Law No. 36 of 1919.

Somaliland.—Ordinance No. 7 of 1927.

St. Vincent.—Cap. 75, Revised Ordinances, 1926.

(The compensation payable under these laws is limited to injuries arising out of defects in machinery or plant, etc., or negligence on the part of the employer or his agents).

The question of the enactment of workmen's compensation legislation in other dependencies is at present under consideration.

An Enactment (No. 1 of 1929) was passed in the FEDERATED MALAY STATES in 1929. It has, however, not yet been brought into operation, pending the enactment of similar legislation in the STRAITS SETTLEMENTS. The position in that Colony is that a Bill modelled on the Federated Malay States Enactment (which in its turn was based largely on an Indian Act) was introduced into the Legislative Council.

In view however of the fact that the Indian Act has not yet had an extended trial, it was decided to defer the Bill until the Governor has had an opportunity of reconsidering the situation in the light of any recommendations on this matter which may be included in the report of the Royal Commission on Labour in India.

There is also a Workmen's Compensation Bill before the Legislature of MAURITIUS, and it is anticipated that the Bill will be passed in the near future.

The Convention concerning Workmen's Compensation in Agriculture has been applied in :—

ST. VINCENT	in so far as that such compensation as is payable under the relevant Enactments is payable to agricultural workers equally with others.
GRENADA	
JAMAICA	
BARBADOS	
BRITISH GUIANA	
SOMALILAND	
GIBRALTAR	

In MALTA and NORTHERN RHODESIA, agricultural workers are not specifically excepted from the operation of the relevant laws. It should however be noted that the Northern Rhodesia Ordinance applies only to non-native workers.

As regards the dependencies in which there is workmen's compensation legislation, which is not applicable to agricultural workers, the reasons for the exclusion of agricultural workers are as follows :—

CYPRUS. —The Ordinance applies only to labour in mines and not to industrial labour generally. Cyprus is essentially an agricultural country of small peasant proprietors who work on their own account. Very few persons work regularly as farm labourers and their conditions of employment are considered satisfactory.

TRINIDAD. —When the draft of Ordinance No. 8 of 1926 was prepared, agricultural workers were included. The relevant provisions were however subsequently deleted from the Bill in view of representations which were made to the Government, to the effect that to include them would be to impose a burden on the peasant proprietor which he could not bear. The exclusion does not extend to agricultural workers employed in connection with machinery.

(9) Convention fixing the Minimum Age for the admission of Young Persons to Employment as Trimmers or Stokers.

This Convention has been applied to the following dependencies :—

CYPRUS	} Order in Council dated 25th July, 1927.
MAURITIUS	
FIJI	
JAMAICA	
TRINIDAD	
BERMUDA	
MALTA.— Act No. 9 of 1919.	

It has been applied with modifications to : —

SEYCHELLES.—Order in Council of 25th July, 1927. (The Convention does not apply to ships registered in the Seychelles for voyages between certain islands.)

Legislation is now contemplated to apply the Convention in the case of : —
NORTH BORNEO.

HONG KONG.—(With modifications in respect of "river steamers" similar to those in paragraph (c) of Article 3 of the Convention.)

(10) Convention concerning the Compulsory Medical Examination of Children and Young Persons employed at Sea.

This Convention has been applied to the following dependencies : —

CYPRUS	} Order in Council dated 25th July, 1927.
MALIBITIUS	
PELI	
JAMAICA	
TRINIDAD	
BERMUDA	
MALTA. — Act No. 9 of 1919.	

It has been applied with modifications to : —

SEYCHELLES. Order in Council of 25th July, 1927. (The Convention does not apply to ships registered in the Seychelles for voyages between certain islands.)

Legislation is now contemplated to apply the Convention, in the case of : —
NORTH BORNEO.
HONG KONG.

(11) Convention concerning Workmen's Compensation for Occupational Diseases.

As regards the general position in regard to workmen's compensation legislation in the non-self-governing dependencies, see the prefatory note on the Convention relating to Workmen's Compensation in Agriculture.

This Convention has not been applied in any of the non-self-governing dependencies. It has, however, been applied with the following modifications in MALTA and NORTHERN RHODESIA : —

MALTA. —By Gazette Notice No. 424 of 7th November, 1930, the benefits of the Act were extended to workmen contracting any of the following diseases : —

- (a) Lead poisoning and its sequelae.
- (b) Inflammation and ulceration of the skin and mucous membranes produced by dust, liquids, vapours, or other agents.
- (c) Inflammation of joints or surrounding structures due to repeated trauma.

NORTHERN RHODESIA.—

- (a) Compensation is only payable to nominative workers.
- (b) The diseases covered by the Ordinance are cyanide rash, lead poisoning or its sequelae, mercury poisoning or its sequelae.

The Convention will be applied in the STRAITS SETTLEMENTS and FEDERATED MALAY STATES when the legislation referred to in the previous note is brought into operation.

No provision has been included in the MAURITIUS Bill to apply this Convention because the trades which give rise to the diseases in question are not, and not likely to be, carried on in the Colony.

(12) Convention concerning Equality of Treatment for National and Foreign Workers as regards Workmen's Compensation for Accidents.

As regards the general position in regard to workmen's compensation legislation in the non-self-governing dependencies, see the prefatory note on the Convention relating to Workmen's Compensation in Agriculture.

The Convention has been applied in—

TRINIDAD	}	inasmuch as there is no specific discrimination in the relevant enactments between national and foreign workers.
ST. VINCENT		
GRENADA		
JAMAICA		
BARBADOS		
BRITISH GUIANA		
SOMALILAND		
GIBRALTAR		
PALESTINE		
CYPRUS		

(As pointed out in the note referred to above, however, the compensation payable in all the above-mentioned dependencies, except TRINIDAD and PALESTINE, is limited in scope.)

As regards MALTA, foreign workers residing in the Island are not precluded from the benefits provided by the Act.

In the FEDERATED MALAY STATES Enactment and in the STRAITS SETTLEMENTS Bill referred to in the previous note there is no discrimination between national and foreign workers. Compensation will, however, only be payable to a dependant if resident within the British Empire.

In the MAURITIUS Bill referred to in the previous note it is provided that a workman will cease to be entitled to a weekly payment if he ceases to reside in the Colony or its dependencies.

(13) Convention concerning Seamen's Articles of Agreement.

(14) Convention concerning the creation of Minimum Wage Fixing Machinery.

The question of the application of these two Conventions to the non-self-governing dependencies is under consideration.

REP/2/8

22 December 0

CHIEF SECRETARY.

Subject : Labour Section of
Annual Report.

Reference : 1/30 of 5.12.30.

The Annual Report of this Section is in preparation and the paragraphs relating to labour will be communicated to you in advance.

2. The memorandum furnished by this Section on the 13th of November under the number LAB/1/2 is a general resumé of the position rather than a narrative of recent developments. Much of it has appeared in essence in previous reports. It is suggested that it be printed as an appendix to the Report of the Government of Palestine for the year 1930. In that form it will meet the requirements of the Mandates Commission insofar as they can at present be met.

CHIEF IMMIGRATION OFFICER.

Copy to: LAB/1/2

H/M

LAB/1/2

/3 November

O.

CHIEF SECRETARY.

Subject :- Labour Conditions in
Palestine.

Reference :- 4193/29 of 25.8.1930. ⁵⁸

A memorandum on the above-mentioned
subject is herewith.

P.A. 113 18/11/30

(Signed) A. M. HYAMSON

AMH/LK

CHIEF IMMIGRATION OFFICER.

MEMORANDUM.LABOUR CONDITIONS IN PALESTINE.I. Legislation in force.

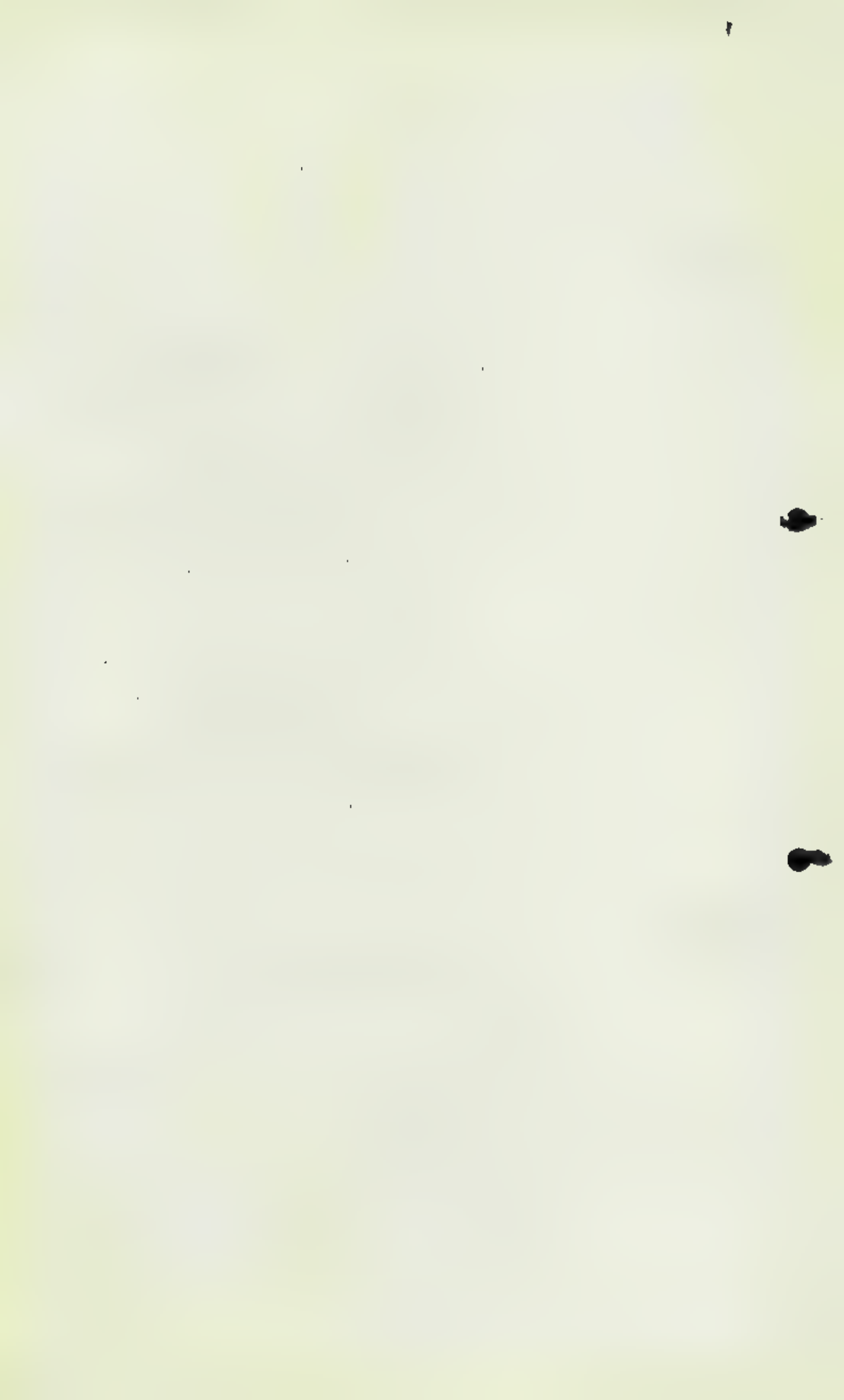
Wherever possible the Palestine Government has adhered to the actual conventions adopted by the International Labour Office, but at the same time, protective labour legislation, more especially suited to the needs of Palestine, has been enacted on the following subjects:

- a) Industrial Employment of women and children and appointment of Factory Inspectors.
- b) Workmen's compensation, including Equality of treatment for National and Foreign Workmen in compensation for accidents.
- c) Fencing of Dangerous Machinery.
- d) Inspection of Steam Boilers.
- e) Prevention of Intimidation.
- f) Prohibition of the use of white phosphorus in the manufacture of matches.

Brief summaries of the principal provisions follow, but it may be here remarked that the ordinances were framed to allow extension whenever experience proved such extension to be practicable and desirable.

Of the aforementioned legislation (a) the Industrial Employment of Women and Children's Ordinance embodies the principles laid down in the international conventions concerning employment of women during the night, minimum age of admission of children to industrial employment and night work of young persons in industry,

adopted/



adopted in the first session ~~of~~ the International Labour Conference (1919) and partly accepts the recommendations regarding protection of women and children against lead poisoning made in the same session.

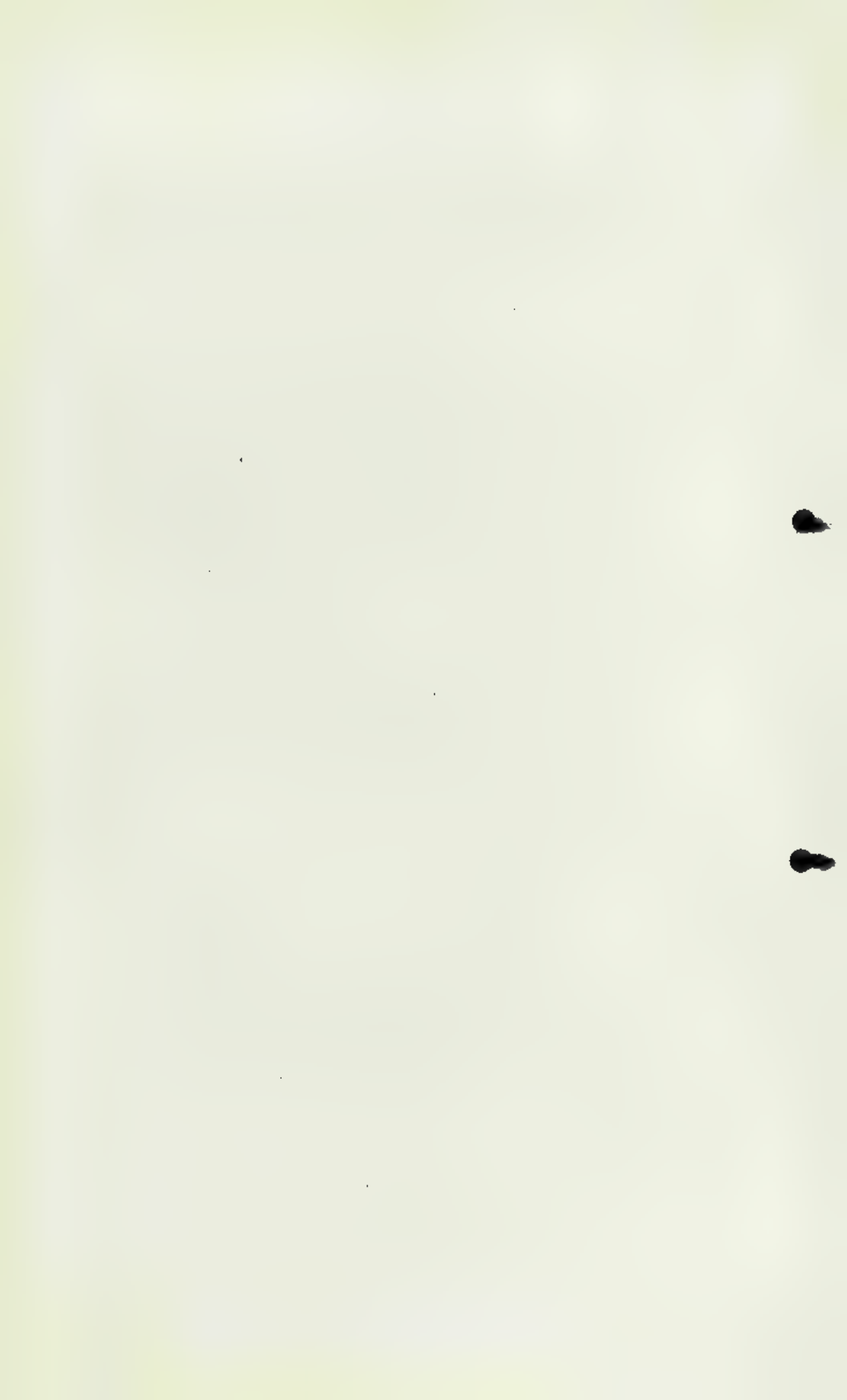
(b) The Workmen's Compensation Ordinance embodies the general principles of the convention on this subject adopted in the seventh session of the International Labour Conference (1925). Palestine has also adhered to the convention concerning Equality of Treatment for National and Foreign workers as regards workmen's compensation for accidents, adopted in the same session.

(f) By the enactment of the Ordinance to prohibit the manufacture, sale and importation of matches made with white phosphorus, the Government has accepted the international convention on this subject adopted in Berne in 1906, the adhesion to which was recommended in the first session of the International Labour Conference (1919).

II. Legislation recommended.
considered

In addition Government has given consideration to proposals under the following heads:

a) Creation of machinery for conciliation and arbitration in labour disputes. A scheme of conciliation and arbitration was worked out in 1934 and secured the acceptance of representatives of both employers and employed. When it was on the point of being implemented the Zionist Executive asked that no further action should be taken as, inasmuch as almost all of the disputes with which the proposed



committees would deal concerned only Jews they preferred to deal with the matter themselves. The Zionist Executive thereupon appointed a committee to go into the question. This committee it is understood never reported and as it has not met for five years it may be considered to have lapsed. The present practice is for the Zionist Executive or the general or local Jewish Councils to intervene when labour troubles threaten or break out. In some instances adhoc Jewish committees are appointed to arrange settlements. The intervention of the Manufacturers' Association and the Labour Organisation has often given satisfactory results. Nevertheless it is thought that the number of strikes and lock-outs would be reduced if neutral effective machinery for intervention in the earliest stages existed.

b) The securing to both employers and employed of reasonable notice of termination of employment.

The practice varies in different classes of employment. Legal notice is fairly prevalent in Jewish industrial establishments and public institutions especially where collective agreements are in force. On the other hand many employees are liable to dismissal without notice and on their part are free to leave without notice.

On consideration it was ^{decided} not to introduce any legislation making such notice compulsory.

c) Security/

(c) Security for the provision of instruction to apprentices. The possibility of legislation is under consideration by a committee.

III. Labour Exchanges.

The provision of Government Labour Exchanges has also been under consideration and was recommended by Sir John Hope Simpson in his recent report. The General Federation of Jewish Labour has for long included such exchanges or employment Bureaus in its organisations both in town and country, but exception has been taken to them by workers outside of their influence and by employers as not being neutral as between their members and other workers. Early in 1930 a "Mutual Labour Exchange" managed by representatives of Jewish farmers and workers, was established in one of the Jewish agricultural settlements, and the extension of the principle is being actively canvassed.

Recently there has been some movement towards organisation among Arab workers, and one of the principal objects of the newly formed Unions is to create machinery for finding work for their members.

IV. Investigation of Labour Conditions.

Information on hours of labour, rates of pay, unemployment and trade disputes is obtained by the Government. The frequent variations in conditions of work, the diverse categories of workers (Jewish organised labour, Oriental Jewish labour, Arab labour etc.) and the absence of special Government machinery for labour investigation and statistics lessen the accuracy of the information supplied, and render its collection difficult. The possibility of creating a more suitable government machinery is under consideration.

Hours of work.

HOURS OF WORK.

An eight hours working day is a rule in the larger industrial establishments where Jewish and mixed labour is employed, in Jewish building and agriculture. In small workshops both Jewish and non-Jewish, the hours of work vary from 8 to 10, in some cases rising to 11 and 12 hours per day. No legal regulations regarding hours of work are in force, except those instituted by the Industrial Employment of Women and Children's Ordinance. There was a voluntary movement to limit hours in shops and to abandon the practice of night work in bakeries, but hitherto there has been no appreciable result.

SYSTEM OF PAY.

Time rate pay is still the prevailing system. Although piece work has appeared recently in Palestine, and has become customary in many trades. This system is generally adopted in the larger mechanical knitting and cardboard box factories and is also wide-spread in other trades such as clothing, shoe-making, furniture, quarrying, stone-dressing, building and also in agriculture. A novelty of the present year is the introduction of a combined system (fixed daily rates with additional payment for the output) in a large shirt making factory. Overtime, when worked, is usually paid ^{for} at the same rates as ordinary work, except in the Jewish printing trade. A collective agreement between Master Printers and the Printers' and Bookbinders' Union arrived at in 1930, has instituted 50 per cent. additional pay for work overtime.

Contract labour is popular among Jewish building and agricultural labourers. The latter, often organised in co-operative groups of a permanent or temporary character, undertake to carry out a certain amount of work, are paid in gross and divide the earnings among their members equally or according to family conditions or qualifications of each member.

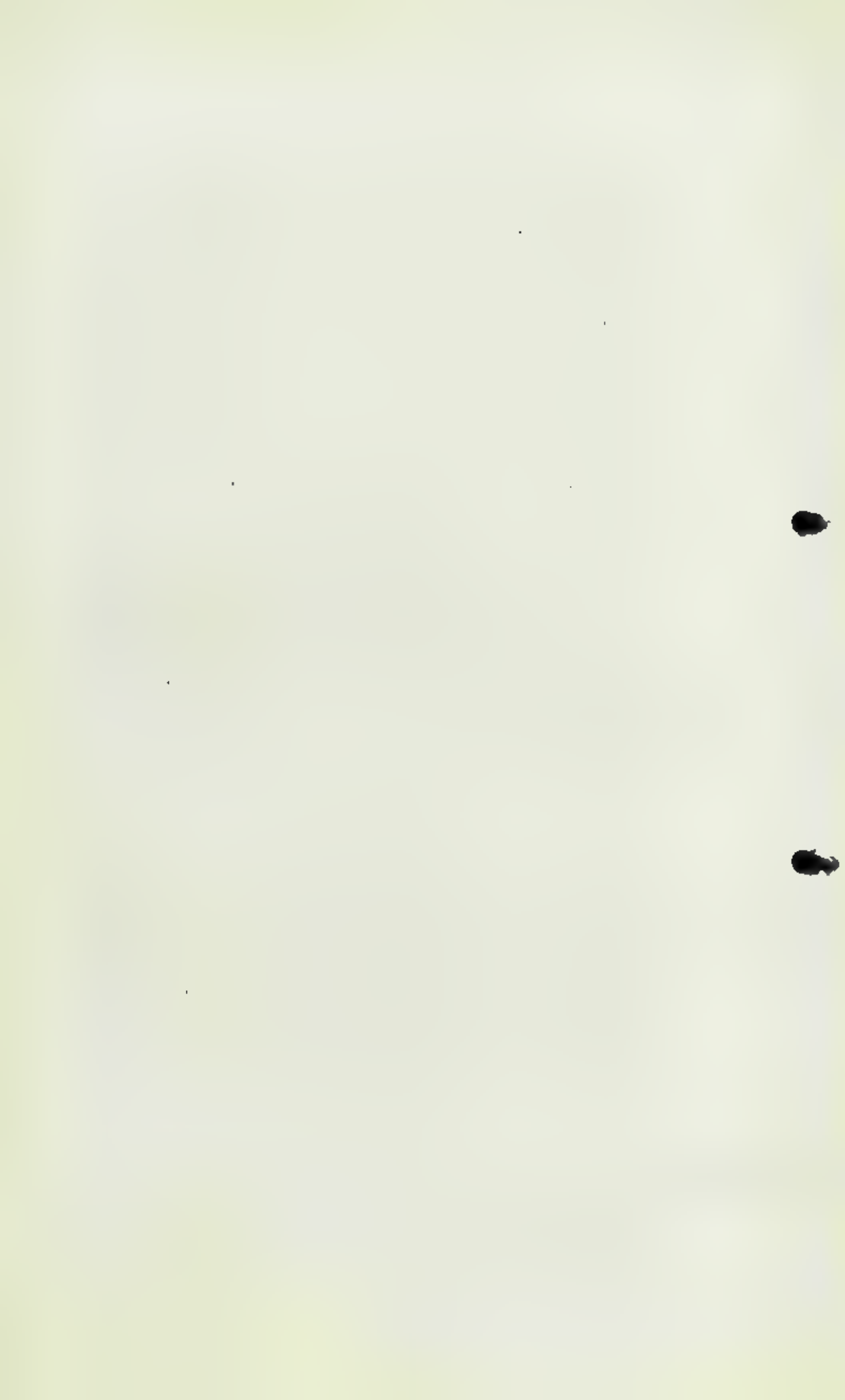
The Arab labourers, in agriculture and urban works, are usually paid by time rates.

"Payment in kind" is frequent in Arab villages. Fellahs who cultivate plots of their own, in their free time work on the lands of the sheikhs. A fifth of the total crop is the usual pay in such cases, while the expenses are paid by the fellah himself.

RATES OF WAGES.

Wages paid to different categories of labour vary so much that it is difficult to obtain reliable averages. A union scale is adopted by the Jewish Trade Unions in some branches of work and is intended to be introduced by the Arab Unions, but in practice there is no homogeneity in rates of wages, even in similar occupations. A standard exists in general agricultural works and in building for unskilled labour. The wages paid to Arab agricultural workers fluctuate between 80 and 180 mils, the average being about 100-125 mils a day. Jewish agricultural labourers are paid from 150 to 200-220 mils, the former being the usual pay of Yemenite workers, the latter the labour exchange rate.

The wages paid for special agricultural works
(orange packing,



(orange packing, closing boxes, digging wells, ploughing with animals, irrigation works etc.) are higher.

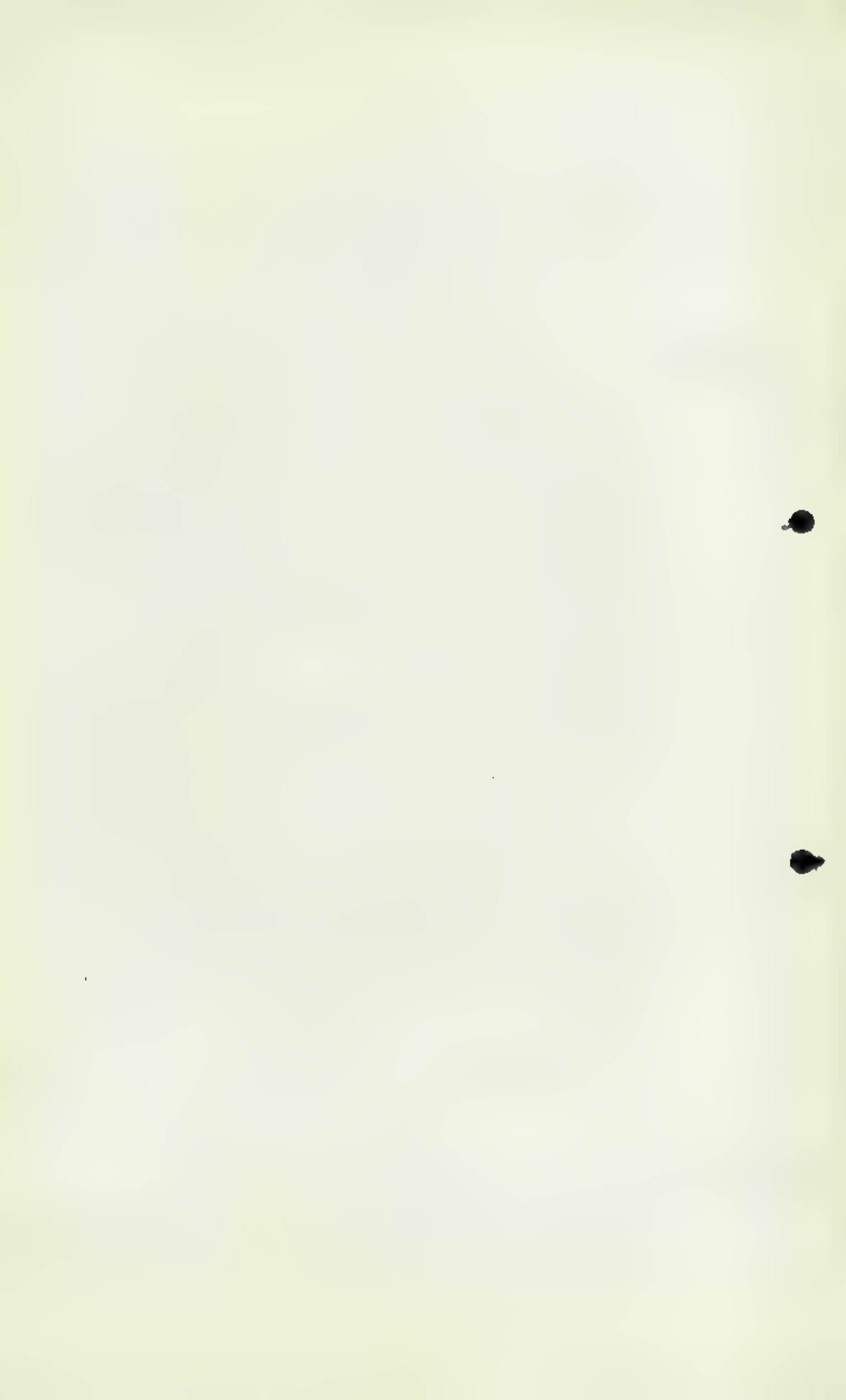
Abstracts of the Jewish Labour Census of 1930 published by the General Federation of Jewish Labour show that only 31 per cent. of the Jewish agricultural labour both skilled and unskilled is employed permanently.

Wages paid to urban unskilled labour range from 120 to 150 mils for Arabs and 250 to 300 mils for Jewish organised labour. A special commission of inquiry into the question of wages for unskilled labour was appointed by the Government in November 1927. The Chief proposals made to this commission - enactment of a general minimum wage law and adoption of minimum wage by Government and Municipalities with a fair wage clause in cases where work is carried out by contractors - were found by the commission to be premature.

In skilled work there is no considerable difference between wages paid to Jews and non-Jews. Wages for skilled work fluctuate between 300 and 700 mils. The average, however, does not exceed 400 mils in industries and 500 mils in building. Rates of wages paid to Jewish building labourers are as a rule higher than those paid to Jewish labourers employed in workshops, where the cheaper Oriental labour is employed to a great extent.

V. Housing Conditions.

The housing accommodation of members of the working class in Palestine, both Jewish and Arab, is as a rule very restricted and according to English standards overcrowding is very prevalent. The Jewish Agency, the PICA and other semi-official public organisations have provided



a number of dwellings for Jewish working men in the agricultural settlements and also in the towns but the relative number of people thus provided for is not considerable.

VI. Medical Aid.

The members of the General Federation of Jewish Labour receive medical advice and sick pay from the Sick Fund, which is an integral part of the Federation. In the course of the current year a special Fund was established by the Federation to secure necessary medical treatment to workers suffering from chronic diseases. The Zionist Executive and also many Jewish employers contribute to this fund.

Arrangements have been made by the Arab Trade Unions of Jerusalem and Jaffa to provide medical aid for their members. In theory means are derived from the members' contributions, but sufficient funds are not always available. At Jaffa a physician is paid by the Union, but in Jerusalem, the provision of medical aid depends to great extent upon the voluntary services of physicians and pharmacists.

APPENDIX

(a)

"Industrial Employment of Women and
Children's Ordinance".

(Enacted January 1st, 1928)

1. No woman or child may be employed in:-
 - (a) Cleaning machinery while in motion.
 - (b) Making or finishing of mirrors.
 - (c) Manufacture of asphalt and bitumen.
 - (d) Work with white lead.
2. No child under 12 may work in any factory or workshop.
3. No child under 16 may work for more than 8 hours a day, excluding a period of rest; for more than 5 hours continuously or between the hours of 7 p.m. and 6 a.m. One day's rest in every seven is compulsory.
4. No woman may be employed between the hours of 10 p.m. and 6 a.m. or during a period of 11 consecutive hours.
5. The Ordinance applies to all undertakings in which articles are manufactured or materials transformed but it does not apply to agriculture or undertakings in which only the members of the proprietor's family are employed.
6. Employers must keep a register of all children employed, giving name, age, sex, address, name of parent or guardian and recording the number of hours worked.
7. The maximum penalty for infringement of the provisions of the Ordinance is a fine of £P.50 for each offence, or six months' imprisonment or both.

(b)

Workmen's Compensation Ordinance.

(Enacted 16th January, 1927).

1. If, in any employment specified as under, a personal injury by accident arising out of and in the course of the employment, is caused to a workman, his employer shall, subject to the provisions of the Ordinance, and notwithstanding any agreement to the contrary, be liable to pay compensation.
2. No compensation is payable if the injury does not disable the workman for a period of at least three days from earning full wages at the work in which he was employed. If the incapacity lasts less than 4 weeks, no compensation shall be payable in respect of the first three days.
3. Proceedings for compensation will not be maintainable unless notice of an accident is given as soon as practicable after the happening thereof, and before the workman has voluntarily left the employment in which he was injured, and unless the claim for compensation with respect to such accident has been made within six months from the occurrence of the accident causing the injury or, in the case of death, within six months from the time of death.
4. Legally qualified medical practitioners appointed by the High Commissioner act as referees under the Ordinance.
5. Points of difference between employer and employed are settled by arbitration.
6. Employers must furnish annually returns of all accidents.
7. The Employments Scheduled under the Ordinance are as follows:-
 - (a) Building operations, including operations for the construction, alteration, repair or demolition of a building, and decorative work and operations connected with stone cutting and dressing when done upon the premises., and installation of gas, water and electricity.

(b) Transport by railway/

- (b) Transport by railway and motor vehicles and works connected therewith.
- (c) Blasting, excavation, quarrying, boring and mining.
- (d) Manufacturing operations in which mechanically driven machinery is used.
- (e) The generation and distribution of electricity; the laying and maintaining of the telegraph and telephone lines; works connected with the public supply of water, and public drainage schemes.
- (f) The work of constructing and maintaining roads.
- (g) The handling of goods by manual or mechanical means at docks, quays, wharves or warehouses within the area of a port.

9. The rates of compensation payable are:

- (a) Where death results from the injury:-

(i) If the workman leaves any dependants wholly dependent upon his earnings, a sum equal to his earnings in the employment of the same employer during the three years next preceding the injury, or the sum of £E.100, whichever of those sums is the larger, but not exceeding in any case £E.250; provided that the amount of any weekly payments made under this Ordinance and any sum paid redemptive shall be deducted from such sum and, if the period of the workman's employment by the said employer has been less than the said three years, then the amount of his earnings during the said three years shall be deemed to be one hundred and fifty-six times his average weekly earnings during the period of his actual employment under the said employer;

(ii) If the workman does not leave any such dependants, but leaves any dependants in part dependent upon his earnings, such sum, not exceeding in any case the amount payable under the foregoing provisions, as may be agreed upon, or, in default of agreement, may be determined, on arbitration, to be reasonable and proportionate to the injury to the said dependants; and

(iii) If he leaves no dependants, the reasonable expenses of his medical attendance and burial, not exceeding £E. 15;

(b) where total/

- (b) Where total or partial incapacity for work results from the injury, a weekly payment during the incapacity not exceeding fifty per cent of his average earnings during the previous twelve months, if he has been so long employed, but if not, then for any less period during which he has been in the employment of the same employer, such weekly payment not to exceed £9.1. Provided that the High Commissioner may by regulation prescribe a scale of the amount of compensation to be paid in case of partial incapacity.

(c)

Fencing of Machinery Ordinance.

(Enacted 15th February, 1928)

1. (a) Every hoist, fly wheel and every moving part of any prime mover (whether the fly-wheel or prime mover is situated in an engine-house or not), (b) the head and tail race of every water wheel and of every water turbine, shall be securely fenced and (c) every part of electric generators and motors, every part of transmission machinery and every dangerous part of any machinery other than prime movers and transmission machinery shall either be securely fenced or be in such position or of such construction as to be safe to every person employed or working on the premises.
2. All fencing and other safeguards provided by provisions of the Ordinance shall be of substantial construction and constantly maintained in position and in an efficient state while the parts required to be fenced or safeguarded are in motion or in use, except when such parts are necessarily exposed for cleaning, lubrication or examination.

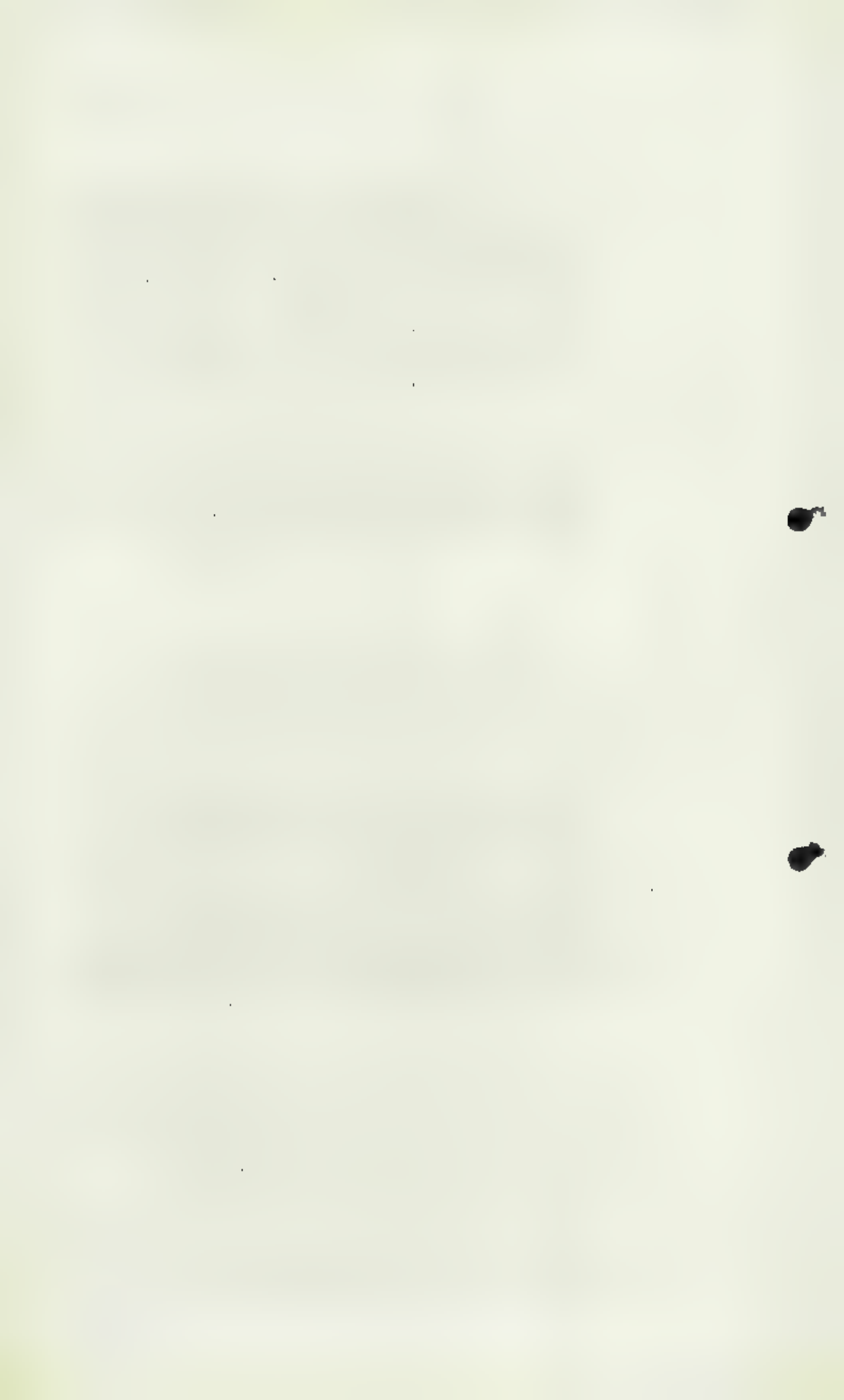
(d)

Ordinance to provide for the safety and inspection of steam boilers and prime movers.

(Enacted 1st January, 1926).

1. Before using a boiler or prime mover, the owner must apply to the Public Works Department for a certificate which is granted after inspection by an Officer licensed under the Ordinance.

2. The Certificate/



2. The Certificate must state the name of owner, the situation of boiler or prime mover, its age, description, power, when and where made, when last repaired, maximum pressure of steam allowed, period for which certificate, which was subject to renewal, was to be in force.
3. The Ordinance provides for thorough inspection at periodic intervals.
4. The owner must, under penalty of a fine of £2.50, make an immediate report of any accident in connection with a boiler or prime mover, to the District Commissioner who may hold or depute an administrative officer to hold an inquiry into the circumstances.

(e)

Prevention of Intimidation
Ordinance, 1927.

(Enacted 16th January, 1927)

1. A person who wrongfully interferes with the legal right of any other person to do or refrain from doing any act, uses violence or intimidation, injures his property, persistently follows such person, or hid ~~any~~ tools, clothes or other property owned or used by such other person, watches or besets the house where such other person resides or works, follows him with two or more other persons in a disorderly manner, shall be punished with a fine not exceeding £1.50 or with imprisonment for a period not exceeding three months.
2. Provided that it shall be lawful for one or more persons acting on their own behalf or on behalf of any association or individual employer or firm in furtherance of an industrial dispute, to attend at or near a house or place where a person works or carries on business, if they so attend merely for the purpose of peacefully obtaining or communicating information or of peacefully persuading any person to work or refrain from working.

(f) Ordinance/

(f)

Ordinance to prohibit the manufacture,
sale and importation of matches made
with white phosphorus

(Enacted August 1st, 1925)

1. For the purpose of the Ordinance the expression "White phosphorus" means the substance usually known as White or Yellow phosphorus.
2. No person is allowed (a) to make or cause to make, (b) sell or offer or expose for sale, or have in his possession for purposes of sale and (c) import or attempt to import into Valentine any matches made with white phosphorus.

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SECRETARIAT,
GOVERNMENT OFFICES
JERUSALEM.

No. 4193/30.

17th September, 1930.

Reference to previous correspondence:

No. G.S.'s 4193/30 dated the 25th August, 1930.

Acting

Reg No

206/1/2

The Chief Secretary presents his compliments to the Chief Immigration

Officer,

and has the honour to enclose the undermentioned documents for information ~~observation~~ and retention.

~~reduction~~
~~reduction~~

Subject: Labour ~~conditions~~.

Enclosed

1930. 200. 22. 12. 1. 2

Date

Description

21/8/30.

Circular despatch from the Secretary
of State (with enclosure).

4193/29
346

Downing Street,

21st August, 1930.

Sir,

With reference to paragraph 4 of my Circular despatch of the 6th of August, I have the honour to transmit to you, for your information, the accompanying copy of Section 307 of the United States Tariff Act of 1930 which prohibits the importation into the United States of goods produced by forced labour or indentured labour under penal sanctions.

I have the honour to be,

Sir,

Your most obedient, humble servant.

PASSFIELD.

The Officer Administering
the Government of

121
Enclosure in Circular despatch dated 21st August, 1930.

EXTRACT FROM UNITED STATES TARIFF ACT, 1930.

Section 307.

Convict-made Goods Importation Prohibited.

All goods, wares, articles, and merchandise mined, produced or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision. The provisions of this Section relating to goods, wares, articles, and merchandise mined, produced, or manufactured by forced labor or/and indentured labor, shall take effect on January 1, 1932; but in no case shall such provisions be applicable to goods, wares, articles, or merchandise so mined, produced, or manufactured which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States.

“Forced labor”, as herein used, shall mean all work or service which is exacted from any person under the menace of any penalty for its non-performance and for which the worker does not offer himself voluntarily.

Tel. Add. "CHIEFSEC, JERUSALEM"

Any reply should be addressed to
THE CHIEF SECRETARY,
GOVERNMENT OFFICES,
JERUSALEM.

and should quote

No 4193/29

SECRETARIAT,
GOVERNMENT OFFICES,
JERUSALEM.

25 August, 1930.

Chief Immigration Officer.

Lab/1/2 W 17/8.

3

Enclosure

I am directed by the Officer
Administering the Government to forward
a copy of the Secretary of State's Cir-
cular despatch of the 6th August regard-
ing conditions affecting labour in British
Colonies, Protectorates and Mandated
Territories.

2. His Excellency desires that
you will prepare the material for a reply
to this despatch as regards Palestine, at
your convenience.

K. A. H. W. C. W.

Acting Chief Secretary.

P. A. S. 19/8/30

4193/29
Downing Street,

6th August, 1930.

Sir,

I have the honour to inform you that, partly in connection with the Proceedings of the International Labour Conference at Geneva, I have recently been giving consideration to the general question of the conditions affecting labour in British Colonies, Protectorates, and Mandated Territories.

2. *His Majesty's Government in the United Kingdom have become a party to a number of International Labour Conventions which regulate the conditions of labour to a considerable extent. Most of these Conventions have been drafted with a view to the conditions prevailing in European industrial countries, and they are not in all respects reasonably applicable without modification to tropical Colonies and Dependencies. Under the terms of Article 421 of the Treaty of Versailles, His Majesty's Government in the United Kingdom are bound to apply them except where (1) owing to local conditions they are inapplicable, or (2) subject to such modifications as may be necessary to adapt them to local conditions. It is my desire that these Conventions to which His Majesty's Government in the United Kingdom have become a party should be applied, wherever possible, with the minimum of modification necessary, and I have already had occasion to address you in this connection.*

3. *It appears to me, however, that it may be convenient to undertake a more direct survey of the conditions of labour in the Colonies and Protectorates without reference to International Conventions originally drafted with the conditions of metropolitan countries primarily in view. I shall, therefore, be glad if you will take into consideration the conditions of labour in the territory under your administration, with special reference to such matters as hours of work, rates of pay, rates of pay for overtime, etc. I do not wish to suggest that any single standard can be adopted or regarded as applicable to*

*The Officer Administering
the Government of*

all Colonies and Protectorates alike, but I consider that an examination of the conditions in each territory individually may result in a recognition of the need for improvement in some particulars.

4. *Generally speaking, I desire that any "penal sanction" applicable to labour engagements should be eliminated or reduced to an absolute minimum, and that the relations of employer and employed should be left to be governed by the ordinary law of contract. In this connection it is for consideration how far breaches of a verbal contract of service should continue to be regarded as a valid ground for prosecution. As an alternative it may be found desirable that contracts to be enforceable should be entered into in writing and should be attested before a Government officer.*

5. *I should be glad if in your review of labour conditions you would not confine yourself solely to questions of hours, rates of pay, conditions of contract, etc. I consider also that the position as regards housing conditions and medical service should be taken under review and that any provisions which might contribute to the content and social welfare of native labour should also receive attention.*

6. *The general conditions under which native labour is employed are receiving increased attention from the International Labour Office and I anticipate that there will be a further development in this direction. I am anxious that, so far as possible, the British Colonies, Protectorates, and Mandated Territories should show a high standard in such matters and be able to stand the light of criticism in comparison with conditions existing in other countries. It is the intention of His Majesty's Government in the United Kingdom to aim at procuring the adoption of such a standard in future International Conventions, and they will bear in mind the necessity of not enforcing in British Dependencies conditions of which it is not possible to secure the enforcement in foreign territories which may enter into economic competition with them.*

I have the honour to be,

Sir,

Your most obedient, humble servant,

PASSFIELD.

LAB/I/2

17 June 30

CHIEF SECRETARY.

Subject : Colonial Office Conference.

Reference : 5259/29 of 14.6.30.

A further copy of the report and
memorandum is herewith.



CHIEF IMMIGRATION OFFICER.

H/M

Tel. Add. "CHIEFSEC, JERUSALEM"

Any reply should be addressed to
THE CHIEF SECRETARY,
GOVERNMENT OFFICES,
JERUSALEM.

and should quote

No. 5259/29.

SECRETARIAT.

GOVERNMENT OFFICES.

JERUSALEM.

June, 1930.

Confidential.

Treasurer.

Chief Immigration Officer.

Postmaster-General.

Subject : Colonial Office Conference.

Reference: Your LAB/1/2 of the 19th 5.30 1930.

I am directed by the High Commissioner
to request you to submit a further copy of your
letter under reference.

11/11 Foot
for Acting Chief Secretary.

LAB/1/2

30
19 May 30

CONFIDENTIAL

CHIEF SECRETARY.

19
Subject : Colonial Office Conference.

Reference : 5259/29 of C.S.30.

A memorandum on the subjects
with which this Section is con-
cerned is attached.

CHIEF IMMIGRATION OFFICER.

H/M

ANNEX A.

(a)

"Industrial Employment of Women and
Children's Ordinance".

(Enacted March 1st 1938)

1. No woman or child may be employed in:-
 - (a) Cleaning machinery while in motion.
 - (b) Making or finishing of mirrors.
 - (c) Manufacture of asphalt and bitumen.
 - (d) Work with white lead.
2. No child under 12 may work in any factory or workshop.
3. No child under 18 may work for more than 5 hours a day, excluding a period of rest; for more than 5 hours continuously or between the hours of 7 p.m. and 6 a.m. One day's rest in every seven is compulsory.
4. No woman may be employed between the hours of 10 p.m. and 6 a.m. or during a period of 11 consecutive hours.
5. The Ordinance applies to all undertakings in which articles are manufactured or materials transformed but it does not apply to agriculture or undertakings in which only the members of the proprietor's family are employed.
6. Employers must keep a register of all children employed, giving name, age, sex, address, name of parent or guardian and recording the number of hours worked.
7. The maximum penalty for infringement of the provisions of the Ordinance is a fine of SP.50 for each offence, or six months' imprisonment or both.

(b)

"Regulation of Trades and Industries Ordinance" so far as the welfare of employees is concerned.

(Enacted 1st March, 1928)

1. All premises classified under the Ordinance as being used for the preparation of food stuffs, concerned with public health, unhealthy trades and industries, the sale or manufacture of intoxicating liquors, dangerous trades and industries or as establishments requiring veterinary supervision, must be inspected by the Department of Health and comply with certain conditions before a licence to carry on the industry is granted.

(c)

Workmen's Compensation Ordinance.

(Enacted 16th January, 1927).

1. 1. If, in any employment specified as under, a personal injury by accident arising out of and in the course of the employment, is caused to a workman, his employer shall, subject to the provisions of the Ordinance, and notwithstanding any agreement to the contrary, be liable to pay compensation.
2. Compensation is payable if the injury does not disable the workman for a period of at least three days from earning full wages at the work in which he was employed. If the incapacity lasts less than 4 weeks, no compensation shall be payable in respect of the first three days.
3. Proceedings for compensation will not be maintainable unless notice of an accident is given as soon as practicable after the happening thereof, and before the workman has voluntarily left the employment in which he was injured, and unless the claim for compensation with respect to such accident has been made within six months from the occurrence of the accident causing the injury or, in the case of death, within six months from the time of death.

Legally/

4. Legally qualified medical practitioners appointed by the High Commissioner act as referees under the Ordinance.
5. Points of difference between employer and employed are settled by arbitration.
6. Employers must furnish annually returns of all accidents.
7. The Employments Scheduled under the Ordinance are as follows:-
 - (a) Building operations, including operations for the construction, alteration, repair or demolition of a building, and decorative work and operations connected with stone cutting and dressing when done upon the premises, and installation of gas, water and electricity.
 - (b) Transport by railway and motor vehicles and works connected therewith.
 - (c) Blasting, excavation, quarrying, boring and mining.
 - (d) Manufacturing operations in which mechanically driven machinery is used.
 - (e) The generation and distribution of electricity; the laying and maintaining of telegraph and telephone lines; works connected with the public supply of water, and public drainage schemes.
 - (f) The work of constructing and maintaining roads.
 - (g) The handling of goods by manual or mechanical means at docks, quays, wharves or warehouses within the area of a port.
8. The rates of compensation payable are .
 - (a) where death results from the injury :-
 - (i) if the workman leaves any dependants wholly dependent upon his earnings, a sum equal to his earnings in the employment of the same employer during the three next preceding the injury, or the sum of £3.10s, whichever of these sums is the larger, but not exceeding in any case £2.250; provided that the amount of any weekly payments made under this Ordinance and any sum paid redemptive shall be deducted from such sum,

years/

and/

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and, if the period of the workman's employment by the said employer has been less than the said three years, then the amount of his earnings during the said three years shall be deemed to be one hundred and fifty-six times his average weekly earnings during the period of his actual employment under the said employer;

(ii) If the workman does not leave any such dependants, but leaves any dependants in part dependent upon his earnings, such sum, not exceeding in any case the amount payable under the foregoing provisions, as may be agreed upon, or, in default of agreement, may be determined, on arbitration, to be reasonable and proportionate to the injury to the said dependants; and

(iii) If he leaves no dependants, the reasonable expenses of his medical attendance and burial, not exceeding £5.15;

(b) Where total or partial incapacity for work results from the injury, a weekly payment during the incapacity not exceeding fifty per cent of his average weekly earnings during the previous twelve months, if he has been so long employed, but if not, then for any less period during which he has been in the employment of the same employer, such weekly payment not to exceed £7.1. Provided that the King Commissioner may by regulation prescribe a scale of the amount of compensation to be paid in case of partial incapacity.

(d)

Fencing of Machinery Ordinance.

(Enacted 16th February 1928)

1. (a) Every hoist, flywheel and every moving part of any prime mover (whether the fly-wheel or prime mover is situated in an engine-house or not), (b) the head and tail race of every water wheel and of every water turbine, shall be securely fenced and (c) every part of electric generators and motors, every part of transmission machinery and every dangerous part of any machinery other than prime movers and transmission machinery shall either be securely fenced or be in such position or of such construction as to be safe to every person employed or working on the premises.

- 5 -
2. All fencing and other safeguards provided by provisions of the Ordinance shall be of substantial construction and constantly maintained in position and in an efficient state while the parts required to be fenced or safeguarded are in motion or in use, except when such parts are necessarily exposed for cleaning, lubrication or examination.

(e)

Ordinance to provide for the
safety and inspection of steam boilers
and prime movers.

(Enacted 16th July, 1926.)

1. Before using a boiler or prime mover, the owner must apply to the Public Works Department for a certificate which is granted after inspection by an officer licensed under the Ordinance.
2. The certificate must state the name of owner, the situation of boiler or prime mover, its age, description, power, when and where made, when last repaired, maximum pressure of steam allowed, period for which certificate, which was subject to renewal, was to be in force.
3. The Ordinance provides for thorough inspection at periodic intervals.
4. The owner must, under penalty of a fine of £P.50, make an immediate report of any accident in connection with a boiler or prime mover, to the District Commissioner who may hold or depute an administrative officer to hold an inquiry into the circumstances.

(f)

Prevention of Intimidation
Ordinance, 1927.

(Enacted 16th January 1927)

1. A person who wrongfully interferes with the legal right of any other person to do or refrain from doing any act, uses violence or

intimidation

intimidation, injures his property, persistently follows such person, or hides any tools, clothes or other property owned or used by such other person, watches or besets the house where such other person resides or works, follows him with two or more other persons in a disorderly manner, shall be punished with a fine not exceeding \$5.00 or with imprisonment for a period not exceeding three months.

2. Provided that it shall be lawful for one or more persons acting on their own behalf or on behalf of any association or individual employer or firm in furtherance of an industrial dispute, to attend at or near a house or place where a person works or carries on business, if they so attend merely for the purpose of peacefully obtaining or communicating information or of peacefully persuading any person to work or refrain from working.

(g)

Ordinance to prohibit the manufacture,
sale and importation of matches made
with white phosphorus

(Enacted August 1st 1925)

1. For the purpose of the Ordinance the expression "white phosphorus" means the substance usually known as White or Yellow phosphorus.
2. No person is allowed (a) to make or cause to make, (b) sell or offer or expose for sale, or have in his possession for purposes of sale and (c) import or attempt to import into Palestine any matches made with white phosphorus.

APPENDIX B

Ordinance to provide for the Construction and maintenance of Village Roads and other Village works.

1.

As soon as the programme of work to be carried out in regard to (a) construction, maintenance, and repair of village roads etc. (b) the cleaning of drains etc. in its vicinity or (c) the improvement in the sanitation of the village, at the expense of the village has been fixed the District Commissioner shall make provision for the cost thereof by requiring every taxable inhabitant of the village to contribute such sum, not exceeding P.1, as may be determined by the District Commissioner in consultation with the Village Authority.

The Village Authority may employ upon the execution of the work any taxable inhabitant who has notified his desire to be employed on the work instead of contributing the aforementioned sum, and shall pay him wages at such rate, not being less than 100 mls a day, as may be determined by the District Commissioner in consultation with the Village Authority. The wages shall be paid from the account of the Village Authority.

APPENDIX C

PLANT PROTECTION ORDINANCE, 1924

Additional Regulations made under section 12 for control of the locust pest.

In exercise of the powers vested in me by Section 12 of the Plant Protection Ordinance, 1924, I, Sir John Robert Chancellor, High Commissioner for Palestine, hereby make the following Regulations.

1. If locusts are discovered in any one of the villages or towns or in any place within the limits of the village, the inhabitants of any neighbouring village or a distance of three hours' journey shall be sent with their ploughs to the place where the eggs are found and shall collect and deliver the amounts fixed by the Local Commission.

2. In places which are remote from the boundaries of villages or towns, the Local Commission or any area are authorised to collect and deliver the amounts fixed by the Local Commission or other village or town. If locust eggs are found, and shall collect the eggs and plough the places in accordance with the instructions of the District Officer or the Local Commission.

The persons so sent to a distance more than three hours' journey from their village shall receive a daily wage to be fixed by the District Commission.

3. If after the destruction of the locust eggs or locusts, the District Officer or the Local Commission may call out all the inhabitants of the area and require them to take any steps necessary for the destruction of the locusts.

J. R. CH. L.M.
High Commissioner.

12th March 1929.

Tel. Add. "CHIEFSEC, JERUSALEM"

Any reply should be addressed to
THE CHIEF SECRETARY,
GOVERNMENT OFFICES,
JERUSALEM.

and should quote

No 6259/29.

SECRETARIAT,

GOVERNMENT OFFICES,
JERUSALEM.

May, 1930.

Confidential.

Treasurer.
Chief Immigration Officer.
Postmaster-General.
General Manager, Railways.

226/1/2 24-5

93

I am directed by the High Commissioner
to inform you that the Colonial Office Conference
will take place from the 23rd June to the 15th
July.

2. I am directed to transmit to you herewith
the sections of the Agenda for the Conference with
which you are concerned and to say that His Excellency
would be glad if you would submit your observations
on the questions raised therein as soon as possible.

[Signature]
Acting Chief Secretary.

4

Subjects for plenary discussion.

Chief Immigration Officer.

(4) Labour Organization & Conditions.

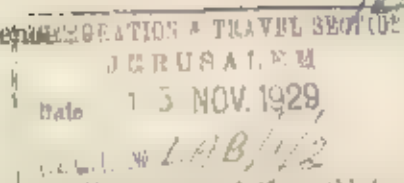
The International Labour Convention will be held at Geneva at the same date as the Conference, and it is anticipated that it will be possible to devote a day towards the end of the Conference to consider questions arising out of the Labour Conference. As indicated in my telegram I propose that the discussion should cover the question of adherence of Colonial Governments to International Labour Conventions and also the recruitment and inspection of native labour, public health conditions, the incidence of taxation, and the regulation of forced labour.

SECRETARIAT,
GOVERNMENT OFFICES,
JERUSALEM.

No. 371/11.

Reference to previous correspondence.

No.



The Chief Secretary presents his compliments to

and has the honour to enclose the undermentioned documents for

information
~~observation~~ and retention.
~~action~~ ~~reference~~

Subject : Annual Reports from Colonial Governments.

(1929-1930-31)

Date	Description
	Annual Reports from Colonial Governments. (Monthly Summary).

P/1
11/12

Immigration & Travel Section,
P.O. Box 437,
Jerusalem.

February 1, 1938.

Dear Willis,

As promised I send you the following list of publications of the International Labour Office which may interest you. They can be obtained from the International Labour Office at Geneva.

International Labour Review (Monthly)	2s. 6d.
International and Labour Information (Weekly)	8d.
Monthly Record of Migration	8d.

Yours sincerely,

H.E. Willis, Esq.,
Passport Section,
Ministry of the Interior,
Cairo.

27

SECRETARIAT,
GOVERNMENT OFFICES,
JERUSALEM.

No.

Reference to previous correspondence

No.

G.T.
The Chief Secretary presents his compliments to
and Director, Department of Health,

and has the honour to enclose the undermentioned documents for ~~information~~ ^{information} and ~~retention~~ ^{retention}.
~~Notary~~

Subject: Monthly Summary of the League of Nations.

10001-11000-30.4.27-G.P.

Date	Description
15.12.27	As above Vol. VII No.11.

on request
Returned to Secretariat on
4/5/28
1.4.28

26

SECRETARIAT,
GOVERNMENT OFFICES,
JERUSALEM.

No. 20508/27.

IMMIGRATION & TRAVEL SECTION
JERUSALEM
Date 14 DEC 1927
REGD. NO. *Recd. 14*

December, 1927.

Reference to previous correspondence:

No.

The Chief Secretary presents his compliments to Chief Immigration Officer,

and has the honour to enclose the undermentioned documents for ~~information~~ ~~reference~~ ~~and~~ ~~retention.~~
~~XXXXX~~ ~~XXXXX~~ ~~XXXXX~~ ~~XXXXX~~

Subject: Summary of the International Labour Organisation.

11851-12000-50.27-G.P.

Date	Description
1st December, 1927. <i>ma d. n. h.</i>	Despatch No. 26066/27 from the Under Secretary of State. <i>ye</i>

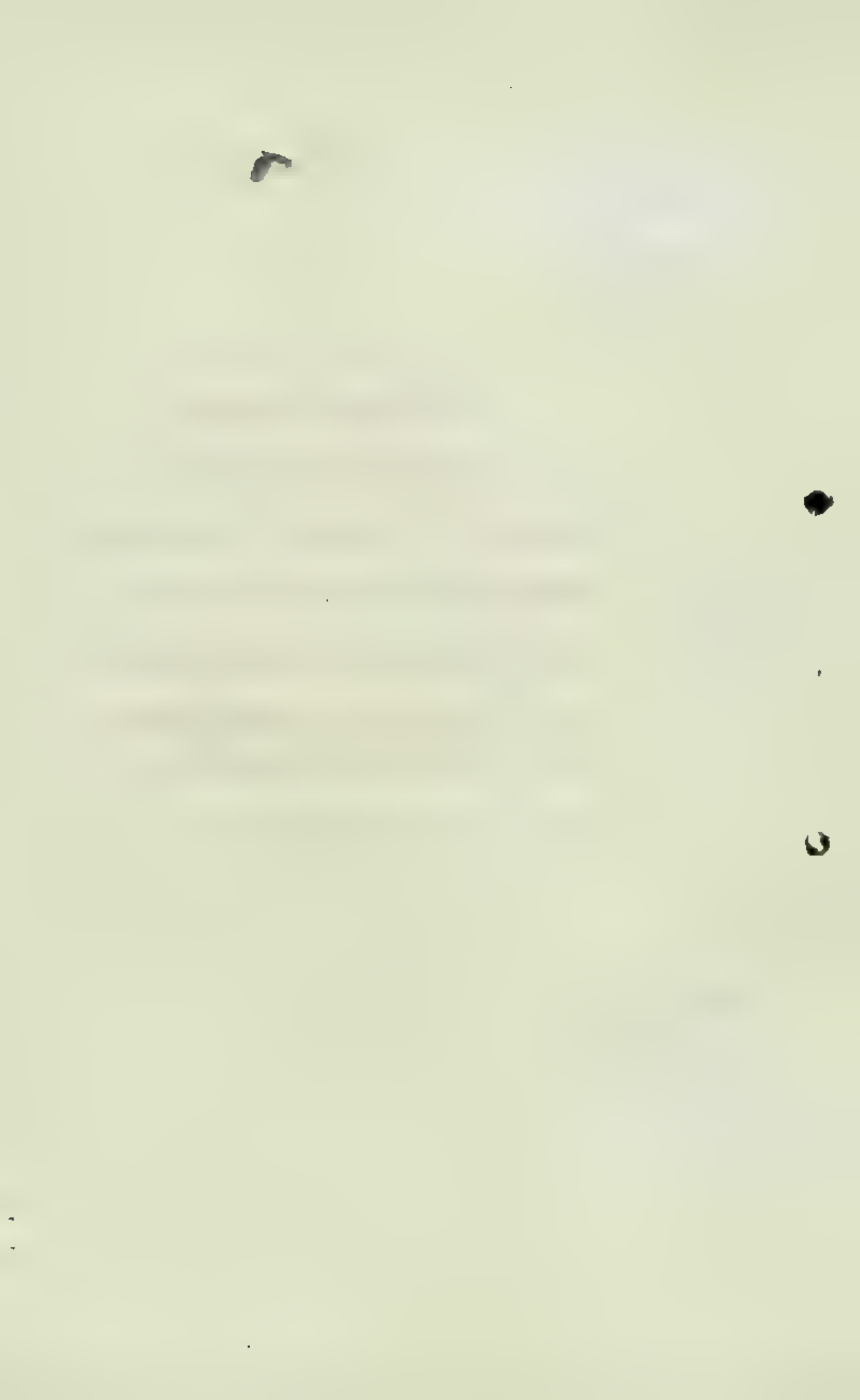
26066/27. ✓

26066/27

The Under Secretary of State for the
Colonies presents his compliments to the Chief
Secretary to the Government of Palestine and with
reference to his note No.15561/27 of the 4th of
October, is directed to transmit herewith a copy
of each of the issues of the Summary of the Inter -
national Labour Organisation for the months of
January to April 1927 inclusive.

Downing Street,

1 December, 1927.



COPY.

*Forwarded by C. Under minute No 15926/27
J. 11/10/27*

Despatch No. 1363.

4th October, 1927.

Reference No. 15926/27.

[Faint, illegible handwritten notes]

Sir,

I have the honour to refer to your despatch Miscellaneous of the 1st of July concerning the draft Conventions which were adopted by the International Labour Conference at its seventh session in May and June, 1925.

2. It is not desired that Palestine should adhere to the draft Convention concerning Workmen's Compensation for Occupational Diseases.

There is no difficulty in the way of Palestine adhering to the draft Convention concerning Equality of Treatment for National and Foreign Workmen as regards Workmen's Compensation for Accidents, and I am advised that it may be applied to Palestine without modification.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

(Sgd) PLUMER, F. M.

HIGH COMMISSIONER
FOR PALESTINE.

The Right Honourable L.C.M.S. AMERY, F.C., M.P.,
His Majesty's Principal Secretary of State
for the Colonies.

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

RESEARCH REPORT NO. 1000
BY J. H. HARRIS AND J. H. HARRIS

CHICAGO, ILL.

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September

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CHIEF SECRETARY.

Subject : International Labour Conference -
Draft Conventions.

Reference : Your 12462/27 of 10.8.27.

The Workmen's Compensation Ordinance does not agree in every respect with the terms of the Draft Conventions concerning Workmen's Compensation for Accidents and presumably therefore the latter cannot be ratified on behalf of Palestine.

2. As the Secretary of State realizes the Draft Conventions concerning Workmen's Compensation for Occupational Diseases cannot be ratified on behalf of this Government.

3. The Draft Conventions concerning Equality of Treatment for National and Foreign Workers as regards Workmen's Compensation for Accidents could it is thought be ratified. No difference is made in the Ordinance between Palestinians and non-Palestinians, except as laid down in Clause 14 of the second schedule to the Ordinance.

4. As requested the enclosure to your minute is returned herewith.

(282) 1 27 12462/27

CHIEF IMMIGRATION OFFICER.

Copy to LAB/I/2

H/M

*Forwarded by C. under memo No 12462/21
11/12/21
Recd. 10/11/21
M. J. H. H. H.*

Extract from the
Report of the League of Nations on the
International Labour Conference,
(Cmd. 2536) 1925.

Draft Convention Concerning Equality of Treatment
for National and Foreign Workers as Regards
Workmen's Compensation for Accidents.

The General Conference of the International Labour Organisation
of the League of Nations

Having been convened at Geneva by the Governing Body of the
International Labour Office, and having met in its Seventh
Session on 19 May 1925, and

Having decided upon the adoption of certain proposals with
regard to the equality of treatment for national and foreign
workers as regards workmen's compensation for accidents, the
second item in the agenda of the Session, and

Having determined that these proposals shall take the form
of a draft international convention,

adopts, this fifth day of June of the year one thousand nine hundred
and twenty-five, the following Draft Convention for ratification by
the Members of the International Labour Organisation, in accordance
with the provisions of Part XIII of the Treaty of Versailles and of
the corresponding Parts of the other Treaties of Peace:

Article 1.

Each Member of the International Labour Organisation which
ratifies this Convention undertakes to grant to the nationals of
any other Member which shall have ratified the Convention, who
suffer personal injury due to industrial accidents happening in
its territory, or to their dependants, the same treatment in res-
pect of workmen's compensation as it grants to its own nationals.

This equality of treatment shall be guaranteed to foreign
workers and their dependants without any condition as to residence.
With regard to the payments which a Member or its nationals would
have to make outside that Member's territory in the application of
this principle, the measures to be adopted shall be regulated, if
necessary, by special arrangements between the Members concerned.

Article 2.

Special agreements may be made between the members concerned
to provide that compensation for industrial accidents happening to
workers whilst temporarily or intermittently employed in the
territory of one member on behalf of an undertaking situated in
the territory of another Member shall be governed by the laws and
regulations of the latter Member..

Article 3.

The Members which ratify this Convention and which do not al-
ready possess a system, whether by insurance or otherwise, of work-
men's compensation for industrial accidents agree to institute such
a system within a period of three years from the date of their
ratification.

Article 4.

The Members which ratify this Convention further undertake

*copy for Leg 2/2
1/2/21*

to afford each other mutual assistance with a view to facilitating the application of the Convention and the execution of their respective laws and regulations on workmen's compensation and to inform the International Labour Office, which shall inform the other Members concerned, of any modifications in the laws and regulations in force on workmen's compensation.

Article 5.

The formal ratifications of this Convention under the conditions set forth in Part XIII of the Treaty of Versailles and in the corresponding parts of the other Treaties of Peace shall be communicated to the Secretary-General of the League of Nations for registration.

Article 6.

This Convention shall come into force at the date on which the ratifications of two Members of the International Labour Organisation have been registered by the Secretary-General.

It shall be binding only upon those Members whose ratifications have been registered with the Secretariat.

Thereafter, the Convention shall come into force for any Member at the date on which its ratification has been registered with the Secretariat.

Article 7.

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 8.

Subject to the provisions of Article 6, each Member which ratifies this Convention agrees to bring the provisions of Articles 1, 2, 3 and 4 into operation not later than 1 January 1927, and to take such action as may be necessary to make these provisions effective.

Article 9.

Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, possessions and protectorates in accordance with the provisions of Article 421 of the Treaty of Versailles and of the corresponding articles of the other Treaties of Peace.

Article 10.

A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

Article 11.

At least once in ten years, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the agenda of the Conference the question of its revision or modification.

Article 12.

The French and English texts of this Convention shall both be authentic.

Recommendation Concerning Equality of Treatment for
National and Foreign Workers as Regards Workmen's
Compensation for Accidents.

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Seventh Session on 19 May 1925, and

Having decided upon the adoption of certain proposals with regard to the equality of treatment for national and foreign workers as regards workmen's compensation for accidents, the second item in the agenda of the Session, and

Having determined that these proposals shall take the form of a recommendation,

adopts, this fifth day of June of the year one thousand nine hundred and twenty-five, the following recommendation, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding parts of the other Treaties of Peace:

I.

In order to facilitate the application of the Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents the Conference recommends that:

- (a) When a person to whom compensation is due under the laws and regulations of one Member resides in the territory of another Member, the necessary measures be taken to facilitate the payment of such compensation and to ensure the observance of the conditions governing such payment laid down by the said laws and regulations;
- (b) In case of dispute concerning the non-payment, cessation of payment, or reduction of the compensation due to a person residing elsewhere than in the territory of the Member where his claim to compensation originated, facilities be afforded for taking proceedings in the competent courts of law in such territory without requiring the attendance of the person concerned;

- (c) Any advantage in respect of exemption from duties and taxes, free issue of official documents or other privileges granted by the law of any Member for purposes connected with workmen's compensation, be extended under the same conditions to the nationals of the other Members which shall have ratified the afore-mentioned Convention.

II.

The Conference recommends that, where in any country there exists no system, whether by insurance or otherwise, of workmen's compensation for industrial accidents, the Government shall, pending the institution of such a system, afford facilities to alien workers enabling them to benefit by the laws and regulations on workmen's compensation in their own countries.

LB/1/2

18 September

7

CHIEF SECRETARY.

Subject : Monthly summary of the International
Labour Organization.
Reference: 14428/27 of 12.9.1927.

It is requested that this Section continue
to receive the above mentioned league of Nations
document and it would be appreciated if summaries
for the months of January, February, March and April
could be supplied.

RE. HYABSON

CHIEF IMMIGRATION OFFICER

✓
14/6/27
for H.

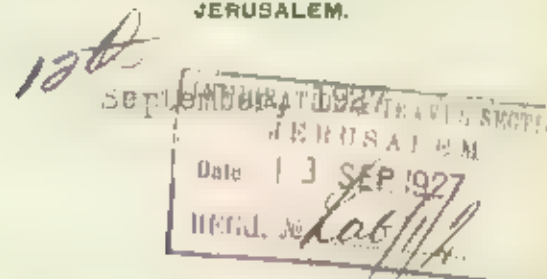
✓
c 6/27

CJP/LK

CJP

SECRETARIAT,
GOVERNMENT OFFICES,
JERUSALEM.

No 14428/27



Reference to previous correspondence:

No

The Chief Secretary presents his compliments to Chief Immigration officer,²³

and has the honour to enclose the undermentioned documents for ~~XXXXXXXXXX~~ observations
and retention, ~~XXXXXXXXXX~~

Subject: The offer of the Secretariat of the League of Nations to supply documents free of charge.

TYPE - 2000 - 01/1/27 - H. L.

Date	Description
10th August, 1927	Circular despatch from Colonial office with enclosure

CIRCULAR.

Downing Street,

10th August, 1927.

Sir,

I have the honour to inform you that I have had under consideration recently the question of the offer of the Secretariat of the League of Nations to supply, free of charge, copies of League of Nations documents for distribution to the Colonies, Protectorates, and Mandated Territories.

2. In the case of the Monthly Summaries of the League of Nations and of the International Labour Organisation, I feel that an opportunity arises in convenient form of keeping Colonial Governments in touch with the League's activities and the progress from time to time recorded in the many problems with which it is dealing, and I have therefore arranged with the Secretary of State for Foreign Affairs for a sufficient number of copies of these two Summaries to be supplied each month as issued.

3. Copies of the Summary of the League of Nations for the months of April, May, and June, and copies of the Summary of the International Labour Organisation for the months of May and June are enclosed herewith for your information. Copies of future issues will be sent to you by Liberty despatch as they are received.

I have the honour to be,

Sir,

Your most obedient, humble servant,

(for the Secretary of State)

W. ORMSBY GORE.

*The Officer Administering
the Government of*

*Sent to Secretariat on 27/8/28
H.G.*

*27/8/28
H.G.*

SECRETARIAT,

GOVERNMENT OFFICES,
JERUSALEM.

No.

Reference to previous correspondence:

No.

The Chief Secretary presents his compliments to

Officer,

and has the honour to enclose the undermentioned documents for

information
and
action.

retention.
re: X

Subject: Monthly Summary of the International Labour Organisation.

10851-12000-30.3.27-G.P.

Date	Description
December 1927	As above No.12.

LEAGUE OF NATIONS.

Geneva,

20 OCTOBRE 1926

I have the honour to inform you that His Britannic Majesty's Principal Secretary of State for Foreign Affairs has forwarded to me the formal ratification by his Government of the following Conventions adopted by the International Labour Conference at Geneva (May 19 - June 10, 1925).

- 1) Convention concerning workmen's compensation for occupational diseases.
- 2) Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents.

I have the honour to inform you also that, in accordance with Article 406, Part XIII of the Treaty of Versailles, these formal ratifications were registered with the Secretariat on October 6, 1926.

The texts of the ratifications have been communicated to the International Labour Office for publication in its "Official Bulletin".

The present notification is made with reference to the terms of Articles 5 and 7 respectively of the above Conventions.

I have the honour to be,

For the Secretary-General:

Acting Director of the Legal Section.

LEAGUE OF NATIONS.

C.665.M.259.1926VI,
C.P.M.537.

Geneva,

December 2nd, 1926.

PERMANENT MANDATES COMMISSION.

Tenth Session.

10/1/27
JERUSALEM
Date 2 MAY 1927
No. 10/1/27

COMMENTS BY THE ACCREDITED REPRESENTATIVE IN NEW ZEALAND
ON THE COMMISSION'S OBSERVATIONS REGARDING THE REPORT
FOR THE YEAR ENDED 31st MARCH, 1926, ON THE ADMINISTRATION
OF WESTERN SAMOA.

London,

16th November, 1926.

..... I consider it necessary to enter a formal protest against the use of the expression "compulsory labour" by the Mandates Commission in paragraph (1) of the "Special Observations" in this Report.

The requirements which District Councils are entitled to impose under the Native Regulations Order, 1925, are in all respects analogous to requirements which any Sanitary or Road Authority in England empowered to impose in England. Neglect to comply with a requirement is punishable by fines, as in England, not by any enforcement of labour.

In the view of the Mandatory Power, the expression "compulsory labour" in its usual acception is obviously quite inapplicable to the circumstances in Samoa, to which the Commission's Report refers.

Further, the Council of the League should be specially informed that District Councils, which, under the Order in Council impose the liability to which the Report refers, are composed of Natives, and presided over by the Natives Faipules.



As the paragraph in question stands in the Report, it is open to serious misconstruction.

In conclusion, I shall be greatly obliged if you will forward this letter to the Council, when transmitting the Report of the Commission to that body.

(Signed) C. J. FARR.

LEGAL COMMISSIONER FOR NEW ZEALAND.

Copy.

16/4/26
Department of Health
Government of Palestine
Jerusalem.
19th May 1926.

GG/43/30.

subject International Labour Convention.

Controller
Permits Section
Jerusalem.

reference Chief Secretary's Ldm. 0343/26 of 5-5-26.
forwarded.

(ogd) 7 harness
Director.

COPY.

W. P. H. L. 1/2
SECRETARIAT,
----- OFFICES

No. 6343/26.

5th May, 1926.

Attorney General.
Director, Department of Health.
Controller of Permits Section.

Subject:- International Labour
Conventions.

I am directed to transmit copy
of the Secretary of State's despatch No. 481
dated the 32nd of April, with enclosures
thereto on this subject, and to inform you
that these papers will be placed before the
Labour Standing Committee in due course
for consideration.

2. Only one copy of each of the
enclosures to this despatch is available
and it is therefore requested that the
enclosures may be circulated in the order
of the addressee of this letter and
returned by the Controller of Permits to
this office.

(SGN). Symes

CHIEF SECRETARY.

Copy to: Miss Nixon to place
on agenda of Labour Standing
Committee in due course, with

copy of despatch.

Original on Regt

COPY.

PALESTINE.

No.481.

Dowling Street
22nd April, 1926.

My Lord,

I have the honour to inform Your Lordship that I have recently had under consideration the question of the application to the Mandated Territories of the draft Conventions which have been adopted by the International Labour Conference at its various sessions and which have been ratified by His Majesty's Government.

Under article 421 of the Treaty of Versailles His Majesty's Government is bound to apply and Conventions of the International Labour Conference, which it has ratified to "Colonies, Protectorates, and Possessions which are not fully self-governing (a) except where owing to local conditions its provisions are inapplicable, or (b) subject to such modifications as may be necessary to adapt its provisions to local conditions". Although, therefore, His Majesty's Government do not appear to be under specific obligation to secure the application of the provisions of these Conventions to Palestine, I shall be glad if you will consider to what extent, if any the measures proposed in the accompanying Conventions which were adopted by the International Labour Conference at its first three sessions and which have been ratified by His Majesty's Government are suitable for adoption in Palestine.

I have, etc.

(Sgn). L.S. AMERY.

HIGH COMMISSIONER,
FIELD MARSHAL
THE RIGHT HONOURABLE,
LORD PLUMER, G.C.B., G.C.M.G., G.C.V.O., G.B.E.,
etc., etc., etc.,

Mr. A. Nyamson

17

C.L. 52: 1926. II.

LEAGUE OF NATIONS.

29.4.26

Geneva,

21 APRIL

66

You are no doubt aware that the Economic Committee has entrusted to a special Joint Committee, consisting of representatives of the Economic and Financial Committees and of the International Labour Office, the study of the problem of industrial fluctuations, crises and consequent unemployment.

This Joint Committee met on March 4th 1926, and the results of its deliberations are included in the report of the Economic Committee to the Council, a copy of which is already in your possession (C.190. M.67. 1926. II).

It will be seen from this report that the Economic Committee attaches particular importance to the "compilation by Governments of the necessary statistical material for determining the index numbers of production, exchanges and prices of products, together with various financial index numbers, from which some idea may be gained of the economic position either of a particular country or of the world in general and on which may be based those forecasts of trade movements which are usually known as economic barometers".

Whilst recognising that good progress has been made in the compilation and publication of financial and commercial statistics and of price indices, the Committee notes that in the majority of countries the regular and adequate data regarding mining or industrial output are still lacking.

The Committee considers it most desirable that States should make a serious effort to fill this gap, and expresses the opinion that "of all the indications from which an estimate or forecast in the movements of trade and industry can be made a production index is undoubtedly the most essential, and, as long as it is not accurately established in the various countries, there can be no question of using trade barometers as a basis for policy".

In view of these considerations the following resolutions of the Joint Committee were unanimously approved:

"I. In order to enable the business world, and especially those responsible for the guidance of economic and credit policy, to base their action on full and correct indices permitting fluctuations of economic activity to be

measured and diagnosed, and, further, to ensure that any public or private action that may be taken towards diminishing the violence of such fluctuations should be based on adequate knowledge, it is highly desirable that Governments should collect and publish at intervals as short and regular as possible adequate statistical data to serve as the basis of such indices".

"2. Among the data most essential for this purpose but which are at present most defective in many countries are statistics of industrial output, not only those which result from a periodic census of production, but also current figures with regard to the principal industries which should be collected monthly to serve for the compilation of a continuous series of indices of production, for use in conjunction with the results of enquiries made at longer intervals".

"3. The Joint Committee therefore request the Council to address a strong representation to the various States calling their attention to the great importance attached, especially for the above reasons, to the collection of statistics of production".

"4. At the same time, the Committee reaffirm their opinion, already expressed in the report of May 1924, that it is of the greatest importance to supplement statistics of production by more complete data as to stocks. They would be glad if their views on this point could be communicated to the special Preparatory Committee on statistical methods which is now engaged in studying this question".

"5. The Joint Committee consider that a Committee of Experts could with advantage be convened to advise as to the scientific and technical aspects of the compilation of indices and economic barometers, and the elucidation of the economic criteria resulting from their methodical study".

The Council, at its meeting on March 15th 1926, adopted the following resolution:

"The Council approves the report of the Economic Committee on its Eighteenth Session and requests the Secretary-General to take the necessary steps for the execution of the measures proposed".

I have accordingly the honour to forward to you the resolutions of the Joint Committee, drawing your attention to the great importance the Economic Committee attaches, for the reasons stated above, to the collection of production statistics.

I have the honour to be,

Secretary-General.

LEAGUE OF NATIONS.

Attorney General
Mr. Nyamson
Heu

PERMANENT COURT OF INTERNATIONAL JUSTICE.

21. 4. 26.

22 APR. 1926.

REQUEST FOR AN ADVISORY OPINION
(COMPETENCE OF THE INTERNATIONAL LABOUR ORGANISATION
IN REGARD TO THE PERSONAL WORK OF THE EMPLOYER).

Geneva, 13 APRIL 1926.

Note by the Secretary-General.

The Secretary-General has the honour to forward to the Government at the request of the Registrar of the Permanent Court of International Justice, a certified true copy of a document containing the terms of a request for an advisory opinion which the Council of the League of Nations, on March 17, 1926, decided to address to the Court; and to ask that this letter and the enclosed document may be considered as notice of this request given in accordance with Article 73 of the Rules of the Permanent Court of International Justice.

19

Distr. 834
1926

COUR PERMANENTE DE JUSTICE INTERNATIONALE

REQUÊTE

POUR AVIS CONSULTATIF

transmise à la Cour en vertu de la Résolution du Conseil de la Société des Nations en date du 17 mars 1926, avec le texte de cette Résolution.

QUESTION DE LA COMPÉTENCE DE L'ORGANISATION
INTERNATIONALE DU TRAVAIL, QUANT AU TRAVAIL
PERSONNEL DU PATRON

PERMANENT COURT OF INTERNATIONAL JUSTICE.

REQUEST

FOR ADVISORY OPINION

transmitted to the Court under the Resolution of the Council of the League of Nations of March 17th, 1926, with the text of that Resolution.

QUESTION OF THE COMPETENCE OF THE INTERNATIONAL
LABOUR ORGANIZATION IN REGARD TO THE PERSONAL
WORK OF THE EMPLOYER

Copie certifiée conforme de
l'original dûment signé par le
Secrétaire général de la Société
des Nations, et qui a été déposé
aux archives de la Cour à la
date du 23 mars 1926.

Certified true copy, the original
of which, duly signed by the
Secretary-General of the League
of Nations, was filed in the ar-
chives of the Court on March
23rd, 1926.

Le Greffier de la Cour :

(Signed) A. HAMMARSKJÖLD.
(Signed)

Registrar of the Court.

LETTRE DU SECRÉTAIRE GÉNÉRAL DE LA SOCIÉTÉ DES NATIONS
AU GREFFIER DE LA COUR

[Traduction.]

Genève, le 20 mars 1926.

Monsieur le Greffier,

J'ai l'honneur de vous transmettre ci-joint une Requête par laquelle la Cour permanente de Justice internationale est priée de donner un avis consultatif sur une question à elle soumise par une Résolution du Conseil de la Société des Nations en date du 17 de ce mois.

Je vous transmets également ci-joint copie certifiée conforme de la Résolution du Conseil, ainsi que copie de la lettre du Directeur du Bureau international du Travail, mentionnée dans ladite Résolution, et du rapport présenté par S. Exc. Monsieur V. Scialoja et qui fut adopté par le Conseil.

En conformité avec les termes du rapport adopté par le Conseil, j'ai l'honneur de prier la Cour de bien vouloir s'occuper de la présente Requête pour avis consultatif aussitôt que possible au cours de la prochaine session ordinaire.

Veuillez agréer, etc.

Le Secrétaire général :
(Signé) ERIC DRUMMOND

LETTER FROM THE SECRETARY-GENERAL OF THE LEAGUE
OF NATIONS TO THE REGISTRAR OF THE COURT.

Geneva, March 20th, 1926.

Sir,

I have the honour to enclose herewith a Request that the Permanent Court of International Justice will give an Advisory Opinion upon a question referred to it by the Council of the League of Nations by a Resolution adopted on March 17th last.

I enclose also a certified true copy of the Council's Resolution, a copy of the letter of the Director of the International Labour Office, which is referred to in the Council's Resolution, and a copy of the report by His Excellency Monsieur V. Scialoja which was adopted by the Council.

In accordance with the terms of the report adopted by the Council, I have the honour to ask the Court to be so good as to deal with the present Request for an Advisory Opinion as early as possible at its next regular session.

I have, etc.

(Signed) ERIC DRUMMOND.
Secretary-General

SOCIÉTÉ DES NATIONS

A la Cour permanente de Justice internationale.

Le Secrétaire général de la Société des Nations,
en exécution de la Résolution du Conseil du 17 mars 1926 et en vertu de
l'autorisation donnée par le Conseil,

a l'honneur de présenter à la Cour permanente de Justice internationale une
Requête demandant à la Cour de bien vouloir, conformément à l'article 14
du Pacte, donner au Conseil un avis consultatif sur les questions qui ont été
renvoyées à la Cour par la Résolution du 17 mars 1926 (voir texte ci-joint).

Le Secrétaire général se tiendra à la disposition de la Cour pour donner
toute l'aide nécessaire à l'examen de l'affaire et prendra, le cas échéant, des
dispositions pour être représenté devant la Cour.

(Signé) ERIC DRUMMOND,
Secrétaire général de la Société des Nations.

Genève, le 26 mars 1926.

LEAGUE OF NATIONS.

To the Permanent Court of International Justice.

The Secretary-General of the League of Nations,
in pursuance of the Council Resolution of March 17th, 1926, and in virtue
of the authorization given by the Council,

has the honour to submit to the Permanent Court of International Justice
an Application requesting the Court, in accordance with Article 14 of the
Covenant, to give an advisory opinion to the Council on the questions which are
referred to the Court by the Resolution of March 17th, 1926 (see attached text).

The Secretary-General will be prepared to furnish any assistance which the
Court may require in the examination of this matter, and will, if necessary,
arrange to be represented before the Court.

(Signed) ERIC DRUMMOND,
Secretary-General of the League of Nations.

Geneva, March 20th, 1926.

Résolution du Conseil de la Société des Nations, adoptée le
17 mars 1926.

LE CONSEIL DE LA SOCIÉTÉ, ayant pris connaissance d'une lettre du 3 février 1926 du Directeur du Bureau international du Travail, adressée au Secrétaire général de la Société des Nations et par laquelle la Résolution suivante adoptée par le Conseil d'administration du Bureau international du Travail a été communiquée au Conseil :

« Le Conseil d'administration du Bureau international du Travail, saisi par le groupe patronal d'une demande tendant à poser à la Cour internationale de Justice la question de la compétence de l'Organisation internationale du Travail au sujet du travail personnel du patron, tout en estimant dans sa majorité que l'Organisation internationale du Travail est compétente dans le cas visé par la requête et en déclarant que sa décision ne saurait constituer un précédent, décide de transmettre la demande au Conseil de la Société des Nations, par application de l'article 14 du Traité de paix, en donnant à la question à poser à la Cour la rédaction suivante :

« L'Organisation internationale du Travail a-t-elle compétence pour élaborer et proposer une réglementation qui, pour assurer la protection de certains travailleurs salariés, vise en même temps et accessoirement le même travail personnel du patron ? »

A l'honneur de prier la Cour permanente de Justice internationale de donner un avis consultatif sur la question formulée dans la Résolution citée ci-dessus.

Le Bureau international du Travail est invité à prêter à la Cour toute l'aide dont elle pourrait avoir besoin pour l'examen de la question qui lui est soumise.

Le Conseil autorise le Secrétaire général à soumettre la présente Requête à la Cour, ainsi que la lettre du Directeur du Bureau international du Travail du 3 février 1926, et tous autres documents relatifs à la question, à donner toute l'aide nécessaire à l'examen de l'affaire et à prendre, le cas échéant, des dispositions pour être représenté devant la Cour.

Pour copie conforme.

(Signé) H. McKINNON WOOD,

Directeur p. i. de la Section juridique.

Genève, le 20 mars 1926.

Resolution of the Council of the League of Nations, adopted
March 17th, 1926.

THE COUNCIL OF THE LEAGUE, having considered a letter of February 3rd, 1926, from the Director of the International Labour Office to the Secretary-General of the League of Nations by which the Council is informed of the adoption by the Governing Body of the International Labour Office of a Resolution in the following terms:

"The Governing Body of the International Labour Office, having before it a request of the Employers' Group for the submission to the Permanent Court of International Justice of the question of the jurisdiction of the International Labour Organization in regard to the personal work of the employer, decides, although the majority considers that the International Labour Organization is competent in the matter to which the request refers, and declaring that the present decision shall not constitute a precedent, to transmit the request to the Council of the League of Nations in application of Article 14 of the Treaty of Peace, and to state the question to be referred to the Court as follows:

"Is it within the competence of the International Labour Organization to draw up and to propose labour legislation which, in order to protect certain classes of workers, also regulates incidentally the same work when performed by the employer himself?"

Has the honour to request the Permanent Court of International Justice to give an advisory opinion on the question formulated in the above-quoted Resolution.

The International Labour Office is requested to afford the Court all the assistance which it may require in the consideration of the question hereby submitted.

The Council authorizes the Secretary-General to submit the present Request to the Court, together with the letter of the Director of the International Labour Office of February 3rd, 1926, and all other relevant documents, to give all assistance necessary in the examination of the question and, if necessary, to take steps to be represented before the Court.

Certified true copy.

(Signed) H. McKINNON WOOD.
Acting Director, Legal Section.

Geneva, March 20th, 1926.

LETTRE DU DIRECTEUR DU BUREAU INTERNATIONAL DU TRAVAIL
AU SECRÉTAIRE GÉNÉRAL DE LA SOCIÉTÉ DES NATIONS

Genève, le 3 février 1926.

Monsieur le Secrétaire général,

J'ai l'honneur de vous faire connaître qu'au cours de sa trentième session le Conseil d'administration du Bureau international du Travail a été saisi par le groupe patronal d'une demande tendant à consulter la Cour permanente de Justice internationale sur la question de la compétence de l'Organisation internationale du Travail en ce qui concerne le travail personnel du patron.

Le Conseil d'administration a adopté à cet égard la Résolution suivante :

« Le Conseil d'administration du Bureau international du Travail, saisi par le groupe patronal d'une demande tendant à poser à la Cour internationale de Justice la question de la compétence de l'Organisation internationale du Travail au sujet du travail personnel du patron, tout en estimant dans sa majorité que l'Organisation internationale du Travail est compétente dans le cas visé par la requête et en déclarant que sa décision ne saurait constituer un précédent, décide de transmettre la demande au Conseil de la Société des Nations, par application de l'article 14 du Traité de paix, en donnant à la question à poser à la Cour la rédaction suivante :

« L'Organisation internationale du Travail a-t-elle compétence pour élaborer et proposer une réglementation qui, pour assurer la protection de certains travailleurs salariés, vise en même temps et accessoirement le même travail personnel du patron ? »

Je vous serais très obligé de bien vouloir transmettre cette Résolution au Conseil de la Société des Nations en lui signalant l'intérêt que présenterait pour l'Organisation internationale du Travail une décision rapide de la Cour permanente de Justice internationale sur la question posée.

Veuillez agréer, etc.

(Signé) ALBERT THOMAS

LETTER FROM THE DIRECTOR OF THE INTERNATIONAL LABOUR
OFFICE TO THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS.

[*Translation.*]

Geneva, February 3rd, 1926.

I have the honour to inform you that at the thirtieth session of the Governing Body of the International Labour Office, the Employers' Group submitted to it a request that the Permanent Court of International Justice should be consulted on the question of the competence of the International Labour Organization in regard to the personal work of the employer.

The Governing Body adopted the following Resolution in this connection:

"The Governing Body of the International Labour Office, having before it a request of the Employers' Group for the submission to the Permanent Court of International Justice of the question of the jurisdiction of the International Labour Organization in regard to the personal work of the employer, decides, although the majority considers that the International Labour Organization is competent in the matter to which the request refers, and declaring that the present decision shall not constitute a precedent, to transmit the request to the Council of the League of Nations in application of Article 14 of the Treaty of Peace, and to state the question to be referred to the Court as follows:

"Is it within the competence of the International Labour Organization to draw up and to propose labour legislation which, in order to protect certain classes of workers, also regulates incidentally the same work when performed by the employer himself?"

I should be much obliged if you would forward this Resolution to the Council of the League of Nations and would draw its attention to the fact that the International Labour Organization would be much gratified if it could obtain a rapid decision from the Permanent Court of International Justice on this question.

I am, etc.

(Signed) ALBERT THOMAS.

SOCIÉTÉ DES NATIONS

Communiqué aux
Membres du Conseil.

(C. 129. 1926. V.)

Genève, le 5 mars 1926.

QUESTION CONCERNANT LE TRAVAIL PERSONNEL DU PATRON, SOUMISE PAR LE CONSEIL D'ADMINISTRATION DU BUREAU INTERNATIONAL DU TRAVAIL AU CONSEIL DE LA SOCIÉTÉ DES NATIONS

RAPPORT DE SON EXCELLENCE M. V. SCIALOJA

Par sa note du 12 février 1926 (C. 65. 1926. V.), le Secrétaire général a communiqué au Conseil une lettre du Directeur du Bureau international du Travail en date du 3 février 1926. Dans cette lettre, le Directeur du Bureau international du Travail prie le Conseil de prendre connaissance d'une Résolution adoptée par le Conseil d'administration du Bureau international du Travail dont le libellé suit :

« Le Conseil d'administration du Bureau international du Travail, saisi par le groupe patronal d'une demande tendant à poser à la Cour internationale de Justice la question de la compétence de l'Organisation internationale du Travail au sujet du travail personnel du patron, tout en estimant dans sa majorité que l'Organisation internationale du Travail est compétente dans le cas visé par la requête et en déclarant que sa décision ne saurait constituer un précédent, décide de transmettre la demande au Conseil de la Société des Nations, par application de l'article 14 du Traité de paix, en donnant à la question à poser à la Cour la rédaction suivante :

« L'Organisation internationale du Travail a-t-elle compétence pour élaborer et proposer une réglementation qui, pour assurer la protection de certains travailleurs salariés, vise en même temps et accessoirement le même travail personnel du patron ? »

J'interprète la Résolution du Conseil d'administration dans ce sens qu'elle contient une requête formelle émanant du Conseil d'administration du Bureau international du Travail et adressée au Conseil afin d'obtenir un avis consultatif de la Cour permanente de Justice internationale au sujet de la question qui se trouve formulée dans le texte de la Résolution.

En donnant suite à cette Requête, le Conseil agirait conformément à un précédent établi en 1922, quand il obtint un avis consultatif au sujet d'une question relative à la désignation de délégués à la Conférence internationale du Travail, à la demande de la Conférence générale du Travail et du Conseil d'administration du Bureau international du Travail.

J'estime qu'également dans le présent cas il serait utile que le Conseil accède au désir exprimé par l'organe compétent de l'Organisation internationale du Travail afin d'obtenir un avis consultatif de la Cour.

LEAGUE OF NATIONS.

Communicated
to the Council.

(C. 129. 1926. V.)

Geneva, March 5th, 1926.

QUESTION SUBMITTED TO THE COUNCIL OF THE LEAGUE OF NATIONS BY THE GOVERNING BODY OF THE INTERNATIONAL LABOUR OFFICE REGARDING THE PERSONAL WORK OF THE EMPLOYER.

REPORT BY M. SCIALOJA.

By his note of February 12th, 1926 (C. 95. 1926. V.), the Secretary-General communicated to the Council a letter from the Director of the International Labour Office dated February 3rd, 1926, which asks that the Council may consider a Resolution adopted by the Governing Body of the International Labour Office in the following terms:

"The Governing Body of the International Labour Office, having before it a request of the Employers' Group for the submission to the Permanent Court of International Justice of the question of the jurisdiction of the International Labour Organization in regard to the personal work of the employer, decides, although the majority considers that the International Labour Organization is competent in the matter to which the request refers, and declaring that the present decision shall not constitute a precedent, to transmit the request to the Council of the League of Nations in application of Article 14 of the Treaty of Peace, and to state the question to be referred to the Court as follows:

"Is it within the competence of the International Labour Organization to draw up and to propose labour legislation which, in order to protect certain classes of workers, also regulates incidentally the same work when performed by the employer himself?"

I understand the sense of this Resolution to be that the Governing Body of the International Labour Office formally requests the Council to obtain an advisory opinion from the Permanent Court of International Justice upon the question formulated in the Resolution.

In giving effect to this Request, the Council would be following a precedent established in 1922 when, at the request of the International Labour Conference and the Governing Body of the International Labour Office, it obtained an advisory opinion upon a question connected with the nomination of delegates to the Labour Conference.

It would again, I think, be convenient that the Council should give effect to the desire of the competent organ of the International Labour Organization to obtain the assistance of an advisory opinion from the Court.

Comme le Directeur du Bureau international du Travail a bien voulu nous signaler l'intérêt que présenterait pour l'Organisation internationale du Travail une décision rapide de la Cour permanente de Justice internationale, je voudrais proposer que le Conseil prie le Secrétaire général de demander à la Cour de Justice de s'occuper de la présente Requête pour avis consultatif aussitôt que possible au cours de la prochaine session ordinaire qui est prévue pour le 15 juin 1926.

Je me permets de proposer au Conseil d'adopter mon rapport, ainsi que le projet de résolution suivant :

PROJET DE RÉSOLUTION.

« Le Conseil de la Société,

« Ayant pris connaissance d'une lettre du 3 février 1926 du Directeur du Bureau international du Travail, adressée au Secrétaire général de la Société des Nations et par laquelle la Résolution suivante adoptée par le Conseil d'administration du Bureau international du Travail a été communiquée au Conseil :

« Le Conseil d'administration du Bureau international du Travail, saisi par le groupe patronal d'une demande tendant à poser à la Cour internationale de Justice la question de la compétence de l'Organisation internationale du Travail au sujet du travail personnel du patron, tout en estimant dans sa majorité que l'Organisation internationale du Travail est compétente dans le cas visé par la requête et en déclarant que sa décision ne saurait constituer un précédent, décide de transmettre la demande au Conseil de la Société des Nations, par application de l'article 14 du Traité de paix, en donnant à la question à poser à la Cour la rédaction suivante :

« L'Organisation internationale du Travail a-t-elle compétence pour élaborer et proposer une réglementation qui, pour assurer la protection de certains travailleurs salariés, vise en même temps et accessoirement le même travail personnel du patron ?

« A l'honneur de prier la Cour permanente de Justice internationale de donner un avis consultatif sur la question formulée dans la Résolution citée ci-dessus.

« Le Bureau international du Travail est invité à prêter à la Cour toute l'aide dont elle pourrait avoir besoin pour l'examen de la question qui lui est soumise.

« Le Conseil autorise le Secrétaire général à soumettre la présente Requête à la Cour, ainsi que la lettre du Directeur du Bureau international du Travail du 3 février 1926, et tous autres documents relatifs à la question, à donner toute l'aide nécessaire à l'examen de l'affaire et à prendre, le cas échéant, des dispositions pour être représenté devant la Cour. »

In view of the statement in the Director's letter that the International Labour Organization would be much gratified if it could obtain a rapid decision from the Permanent Court, I propose that the Council should instruct the Secretary-General to ask the Court to be so good as to deal with the present Request for an advisory opinion as early as possible at the next regular session which begins on June 15th, 1926.

I beg to propose to the Council the adoption of my report and of the following draft resolution:

DRAFT RESOLUTION.

"The Council of the League,

"Having considered a letter of February 3rd, 1926, from the Director of the International Labour Office to the Secretary-General of the League of Nations by which the Council is informed of the adoption by the Governing Body of the International Labour Office of a Resolution in the following terms:

"The Governing Body of the International Labour Office, having before it a request of the Employers' Group for the submission to the Permanent Court of International Justice of the question of the jurisdiction of the International Labour Organization in regard to the personal work of the employer, decides, although the majority considers that the International Labour Organization is competent in the matter to which the request refers, and declaring that the present decision shall not constitute a precedent, to transmit the request to the Council of the League of Nations in application of Article 14 of the Treaty of Peace, and to state the question to be referred to the Court as follows:

"Is it within the competence of the International Labour Organization to draw up and to propose labour legislation which, in order to protect certain classes of workers, also regulates incidentally the same work when performed by the employer himself?"

"Has the honour to request the Permanent Court of International Justice to give an advisory opinion on the question formulated in the above-quoted Resolution.

"The International Labour Office is requested to afford the Court all the assistance which it may require in the consideration of the question hereby submitted

"The Council authorizes the Secretary-General to submit the present Request to the Court, together with the letter of the Director of the International Labour Office of February 3rd, 1926, and all other relevant documents, to give all assistance necessary in the examination of the question and, if necessary, to take steps to be represented before the Court."

PROJECTED LABOUR LEGISLATION.

The Mandates Commission of the League of Nations have on two successive occasions - in 1924 and in 1925 - pressed for Labour Legislation in Palestine. On the former occasion the High Commissioner promised to consider to what extent the Indian Legislation could be adopted for Palestine.

2. The International Labour Conferences have adopted a number of conventions and recommendations, some of which are applicable to Palestine and many of which have been adopted by the British Government. It is assumed, perhaps with justification, that the British Government is bound under a recommendation of the Washington International Conference of 1919 to apply to Palestine, in common with the other Crown Colonies and protectorates, those conventions which it has adopted. The British Government perhaps realizing this has suggested the possible need for Labour Legislation in the recent circular regarding material for the Annual Blue Book.

3. Organized Labour in Palestine is always pressing for Labour legislation and in this has the support of Organized Labour in the United Kingdom.

4. Apart therefore from the need for legislation on its own merits, there seems a case for going beyond the present and foretelling the needs of the future. For instance the exploitation of child labour in factories may be so insignificant at present as not to justify legislation. But factory employment may extend in Palestine and it is preferable to deal with an evil which is still so small as to be within control, rather than to let it get out of hand before attempting to restrict it. If it does not extend, the law will become a dead letter and no harm will be done. *stap*

an/ 5. If legislation for the protection of workers is to cover more than two or three points it is from every aspect desirable that it should be concentrated into one or more ordinances dealing with the Conditions of Labour instead of being hidden among ordinances or ordinances whose main concern is quite other interests. The main concern of the Trades and Industries Ordinance which is in draft lies, it is presumed, in the protection of the Consumer. Legislation for the protection of the Worker, including clause 8 (c) & (e) of

the/

the Trades and Industries Ordinance, is proper to a parallel Ordinance which might be entitled "Conditions of Labour".

6. If the foregoing promises are accepted the question of legislation on the following points might be considered :-

- (a) Hours of Labour for Women and children (I.L. Conf. I(1)).
- (b) Night work for Women (I.L. Conf. I (5)).
- (c) Lead poisoning (I.L. Conf. I (7)).
- (d) Minimum age of employment for children (I.L. Conf. I (9)).
- (e) Night employment of young persons. (I.L. Conf I (10)).
- (f) White lead in painting (I.L. Conf. (III) 10).
- (g) Weekly rest day (I.L. Conf. III (11)).
- (h) Closing of insanitary factories (Indian Factories Act).
- (i) Adequate supply of drinking water and latrine accommodation in factories. (Indian Factories Act).
- (j) Fencing of dangerous machinery. (Indian Factories Act).
- (k) Prohibition of women and young persons from cleaning machinery in motion. (Indian Factories Act).
- (l) Exclusion of young persons and women from certain factories. (Indian Factories Act).
- (m) Rest periods (Indian Factories Act).
- (n) Notice of accidents (Indian Factories Act).
- (o) Exclusion of children from factories. (Indian Factories Act).
- (p) Limitation of number of apprentices per artizan.

7th CONVENTION.

1925 - Geneva.

1. Workmens' Compensation for Accidents:-

(a) This Convention shall not apply to agriculture, in respect of which the Convention of the 3rd I.L.C. remains in force.

(b) Compensation payable shall be paid in the form of periodical payments. It may be wholly or partially paid in a lump sum provided competent authority is satisfied that it will be properly used.

(c) In case of incapacity compensation shall be paid not later than as from the fifth day after the accident.

(d) In case where the injured workman requires the constant help of another person, additional compensation shall be paid.

(e) Injured workman shall be entitled to medical, surgical and pharmaceutical aids necessary.

(f) Injured workmen shall be entitled to the supply and normal renewal of artificial limbs and surgical appliances necessary.

2. Workmens' Compensation for occupational Disease :-

(a) Rates of compensation shall not be less than those prescribed by the National Legislation for injury resulting from Industrial Accidents.

(b) Schedule of diseases which should be considered as occupational diseases.

3. Equality of Treatment for National and Foreign Workers as regards Workmens' Compensation, for accidents.

(a) Each member of the I.L.O. which ratifies this Convention undertakes to grant to the nationals of any other member which shall have ratified ~~and~~ the Convention the same treatment as its own nationals.

(b) Equality of treatment shall be guaranteed to Foreign workers and their dependants without any condition as to residence.

4. Night Work in Bakeries:-

(a) The making of bread, pastry or other flour confectionery during the night is forbidden.

(b) Prohibition applies to the work of all persons including proprietors as well as workers but not to members of the same household who make such products for their own consumption.

(c) Convention has no application to the wholesale and manufacture of biscuits.

(d) Term "night" signifies a period of seven consecutive hours.-- Beginning and end to be fixed by competent authorities in each country.

(e) Exceptions.

I Permanent Exceptions necessary for the execution of Preparatory or Complementary work, provided that no more than the strictly necessary number of workers and that no young persons under 18 are employed.

II Permanent Exceptions necessary for the requirements arising from the particular circumstances of the baking industry in tropical countries.

III Permanent Exceptions necessary for the arrangement of the weekly rest.

IV Temporary exceptions necessary to enable establishments to deal with unusual pressure of work or national necessities.

V In case of accident or in case of urgent work to be done to machinery or plant or in case of force majeure.

C.L. 165. 1925.V.

LEAGUE OF NATIONS.

Geneva, *21/2.*

23.

Following upon my letter C.L. 95. 1925.V. concerning the ratification by Latvia of the Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week, adopted by the International Labour Conference at Washington (October 29th-November 29th, 1919), I have the honour to inform you that according to a communication received from the Latvian Government, the ratification in question was given, in conformity with the provisions of Article 3 of the Law of April 21st, 1925, on the ratification of the Convention, subject to the following reservation:

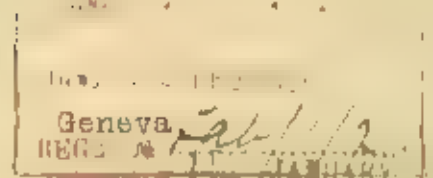
"The Convention shall come into force in Latvia, in accordance with the provisions of Article 18 of the Draft Convention, after the ratifications of three of the Powers which are of the chief industrial importance, as laid down in Article 393, paragraphs 5 and 6 of the Treaty of Peace of Versailles, shall have been registered with the Secretariat of the League of Nations".

I have the honour to be,

For the Secretary-General:

Director of the Legal Section.

LEAGUE OF NATIONS.



I have the honour to inform you that the Greek Minister for Foreign Affairs has communicated to me the formal ratifications by his Government of the following Conventions adopted by the International Labour Conference at Genoa, (June 15 - July 10, 1920).

1. Convention fixing the minimum age for admission of children to employment at sea.
2. Convention concerning unemployment indemnity in case of loss or foundering of the ship.
3. Convention for establishing facilities for finding employment for seamen.

I have the honour to inform you also that, in accordance with Article 406, Part XIII, of the Treaty of Versailles, these formal ratifications were registered with the Secretariat on December 18, 1925.

The text of the ratifications has been communicated to the International Labour Office for publication in its "Official Bulletin".

The present notification is made in view of the terms of Articles 8, 7 and 14 respectively of the above-mentioned Conventions.

I have the honour to be,

For the Secretary-General:

Director of the Legal Section.

INTERNATIONAL LABOUR OFFICE.

Conventions and Recommendations.

Action taken by Asiatic Governments.

1st Conference, 1919.

1. Hours. 8 hour day or 48 hour week in all "industrial undertakings". In the case of Japan the number of hours is 57 to 60 except for persons under 15 years of age and all miners, for whom it is 46 hours per week. British India - 60 hours week.

<u>Japan</u>	:	In the case of young persons and women the hours are 10 and 11 per day nett.
<u>India</u>	:	Legislation passed.
<u>China</u>	:	Legislation passed. 10 hours a day for adults, 8 for boys under 17 and girls under 18.
<u>Turkey</u>	:	Legislation in progress. Maximum 60 hours per week or 6 a day in underground occupation.
<u>Palestine:</u>	:	--

2. Unemployment.

- (a) Each member ratifying this convention to communicate to I.L.O. all information as soon as available concerning unemployment.
- (b) Free public employment agencies and coordination with private agencies if such exist.
- (c) Interchange of Employment insurance benefits between members by agreement where such exist.

<u>Japan</u>	:	Legislation passed.
<u>India</u>	:	Legislation passed.
<u>China</u>	:	--
<u>Turkey</u>	:	--
<u>Palestine</u>	:	--



3. Treatment of Foreign Workers.

Foreign workers to be admitted on terms of reciprocity to benefits of laws and regulations enjoyed by natives as well as rights of organisation.

No legislation passed or in progress in Japan, India, China and Turkey.

Palestine : No differentiation between Palestinian and alien in the projected Workmen's Compensation Ordinance.

4. Childbirth. Employment of women before and after

- (a) not to be employed for 6 weeks following confinement.
- (b) Have the right to leave work 6 weeks before confinement.
- (c) To enjoy full benefits during such absence.
- (d) To be allowed half an hour twice a day during working hours to nurse her child if nursing herself.

Japan : Ratified.

India : --

China : Ratified - 5 weeks leave before and after childbirth.

Turkey : --

Palestine : --

5. Night work - women.

No women to be employed at night time (night = 11 continuous hours including the period between 10 p.m. and 5 a.m.) Conditions vary where climatic conditions are favourable.

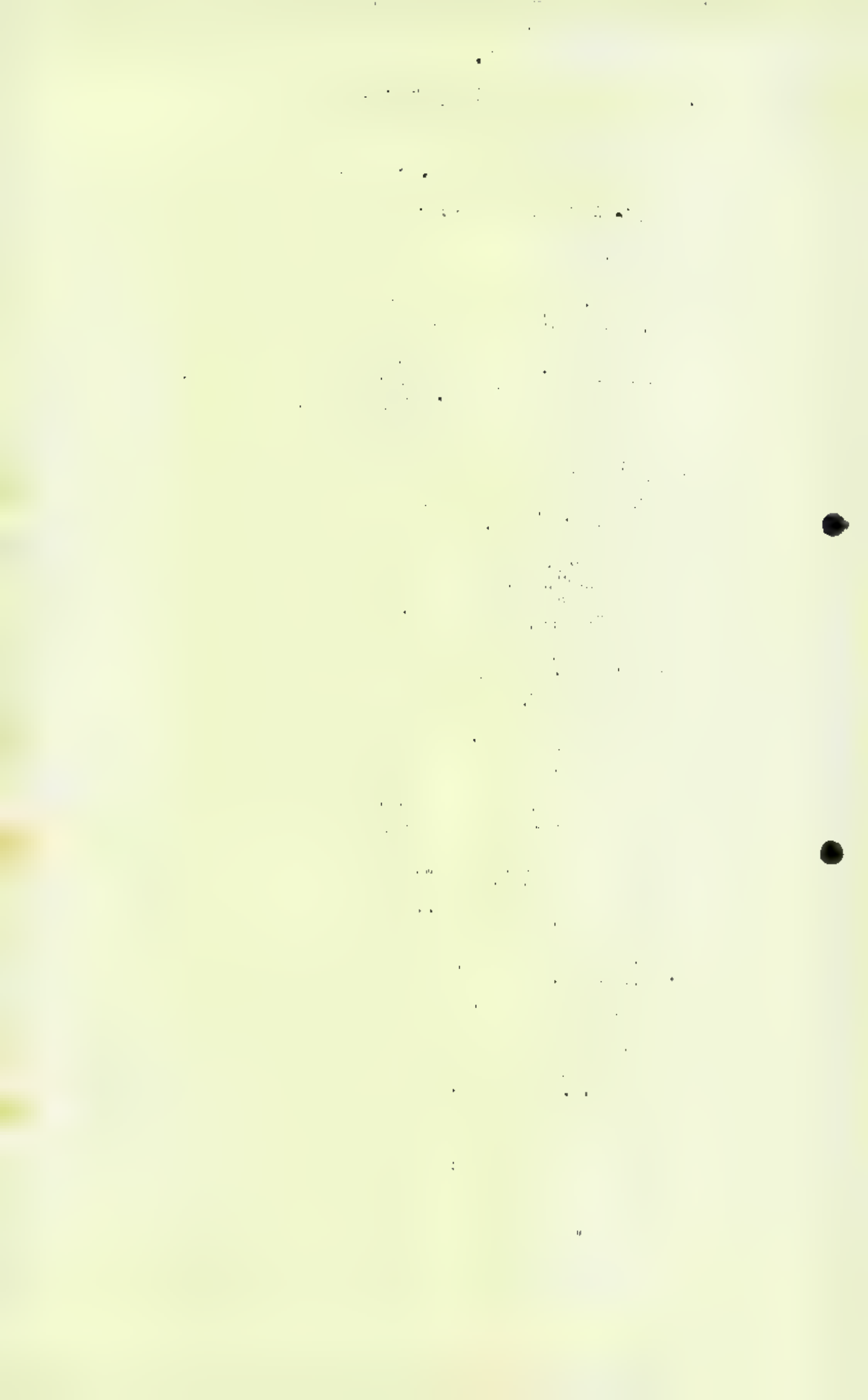
Japan : Legislation passed.

India : Legislation passed.

China : --

Turkey : Legislation in progress. Women under 17 not to be employed.

Palestine : --



6. Prevention of Anthrax.

Disinfection of wool infected with anthrax spores -
either in country of export or country of import.

(No legislation passed or in progress in either
Japan, India, China or Turkey).

Palestine : Regulations made.

7. Protection of women and children against lead poisoning.

(Children - young persons under 18 years of age).

Employment of above to be excluded from all under-
takings (enumerated in draft) where danger of lead
poisoning exists.

(No legislation passed or in progress in either
Japan, India, China, Turkey or Palestine).

8. Government Health Services.

Establishment of efficient factory inspection and
Government service charged with safeguarding health
of workers which will keep in touch with I.L.O.

(No legislation passed or in progress in either
Japan, India, China, Turkey or Palestine).

9. Minimum age for employment of children in Industry.

No children under 14 to be employed (India and Japan
under 12).

Japan : Legislation passed.

India : Legislation passed.

China : Legislation passed. Boys
under 10 and girls under 12
not to be employed in factories.

Turkey : Legislation in progress. 12 in
general industry : 18 in mines.

Palestine: ---

1. Introduction

2. Objectives

3. Methodology

4. Results

5. Discussion

6. Conclusion

7. Acknowledgements

8. References

9. Appendix

10. Bibliography

11. Glossary

12. Index

13. Summary

14. Notes

15. Appendix

16. Index

17. Bibliography

18. Acknowledgements

19. Appendix

20. Glossary

21. Index

22. Summary

23. Notes

24. Appendix

25. Bibliography

26. Acknowledgements

27. Appendix

28. Index

10. Employment of Young persons at night.

- (a) No young persons under 16 to be employed at night.
- (b) Young persons over 16 and under 18 years may be employed only in limited number of trades where process of manufacture is continuous night and day.

Japan : Legislation passed.

India : Legislation passed.

China : Legislation passed.

Turkey : Legislation in progress. Minimum age 17.

Palestine: ---

11. Prohibition of the use of White phosphorus.

White phosphorus not to be used in manufacture of matches.

Japan : Legislation passed.

India : Legislation passed.

China : Legislation passed.

Turkey : --

Palestine: Legislation passed.

2nd CONFERENCE, 1920.

(The Conventions and Recommendations relate to fishing and seaman'ship & have been omitted).

South American Study to Internationalism

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3rd CONFERENCE, 1921.

The Conventions and Recommendations regarding Agriculture have been omitted.

10. White lead in Painting.

- (1) Limitation of use of white lead etc. in painting.
- (2) No males under 18 or females to be employed in any process involving use of white lead except for apprentices for purpose of learning trade.
- (3) Regulations for use of white lead in principles set out.

No legislation passed or in progress in either Japan, India, China, Turkey or Palestine.

11. Weekly rest in all industrial undertakings.

- (a) 24 hours (consecutive)
- (b) simultaneous for whole staff if possible.
- (c) to coincide with the day already fixed by tradition or custom of country when possible.

Japan : --

India : Legislation passed.

China : --

Turkey : --

Palestine: --

12. Weekly rest for commercial undertakings - as above.

No legislation passed or in progress in either Japan, India, China, Turkey or Palestine.

13. Employment of young persons as trimmers or stickers.

18 years to be minimum for India and Japan.
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1. *Phragmites* (common)

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1. *Journal of the American Medical Association*, 1990; 263: 1025-1028.

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Figure 6

(continued)

1955

1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

Figure 1. Aerial view of the study area showing the location of the study site (indicated by a black dot) and the surrounding area. The map includes a scale bar (0 to 10 km) and a north arrow.

1947

<u>Japan</u>	:	--
<u>India</u>	:	Legislation passed.
<u>China</u>	:	--
<u>Turkey</u>	:	--
<u>Palestine</u>	:	--

The Recommendations of the 4th to the 7th Conventions are not yet ripe for ratification. They are as follows :-

4th Convention, 1922, Geneva.

1. Statistical information regarding Immigration etc.

5th Convention 1923, Geneva.

1. The Organization of an efficient system of Inspection to secure the ~~enforcement~~ of laws and regulations affecting workers.
2. The training of such inspectors.

6th Convention 1924, Geneva.

1. Securing the best use being made of spare time in accordance with the 8 hour day.

7th Convention 1925, Geneva.

1. Workmen's Compensation for Accidents.
2. Workmen's Compensation for occupational Disease.
3. Equality of Treatment for National and Foreign Workers as regards Workmen's Compensation, for accidents.
4. Night work in Bakeries. (Exceptions)

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The first and third Recommendations of the 7th Convention regarding Workmen's Compensation have been generally accepted in the draft Workmen's Compensation Ordinance.

1700

1700

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Mr. Hagmann.

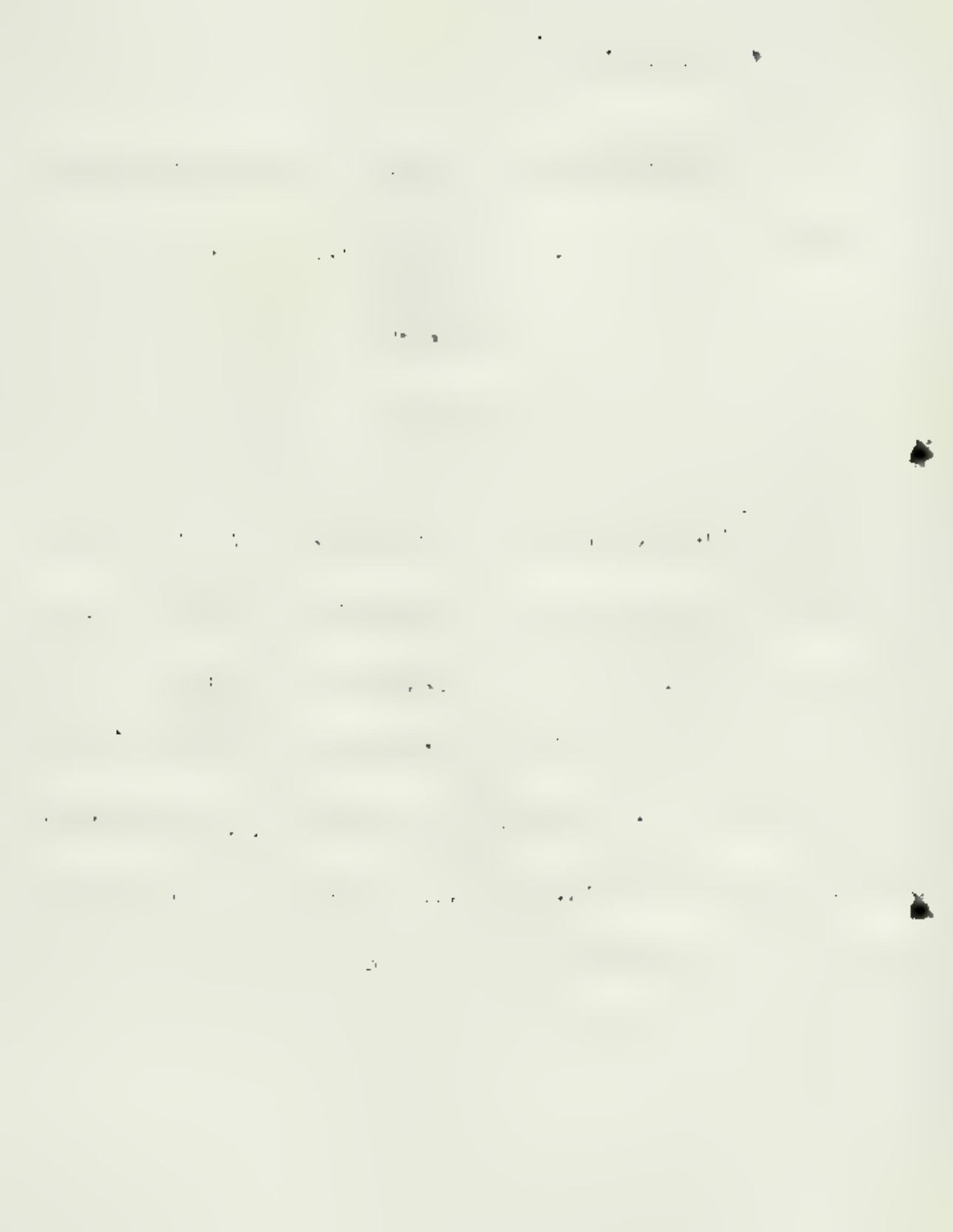
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The decision of the International Labour Conference of the Convention 1925 is appended to the General list.

The only Convention which has been adopted by the Govt of Palestine is the first Convention Resolution 11. 0. 1.
"White Phosphorus matches Prohibition Ord. 1925." Published as draft in Official Gazette No. 142 & Promulgated in O.G. No. 144

The accession of Palestine to White Phosphorus Convention 1906 is published in O.G. 151 of 16. 11. 25. This latter item may be of interest to you.

H. J. 23-26



16
SECRETARIAT.

GOVERNMENT OFFICES,

JERUSALEM.

No. *Am. S/488*

18th September, 1945

Reference to previous correspondence

No. —

The Chief Secretary presents his compliments to *Mr. Entrikin*
of Ebnato and has the honour to enclose the undermentioned

documents for ^{information} ~~observations~~ and ^{attention} ~~action~~

Subject: *International Labour Conference*
Report by the British Government Delegates to
the Minister of Labour

Date

Description.

9.9.45

Dep. No. 1190 from S. of S.
(with encl.).

902

8/488/9.5
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Reference to previous correspondence:-

Secretary of State's } Despatch No.
High Commissioner's }

PALESTINE.

Downing Street.

No. 1196.

9th September, 1935.

Sir,

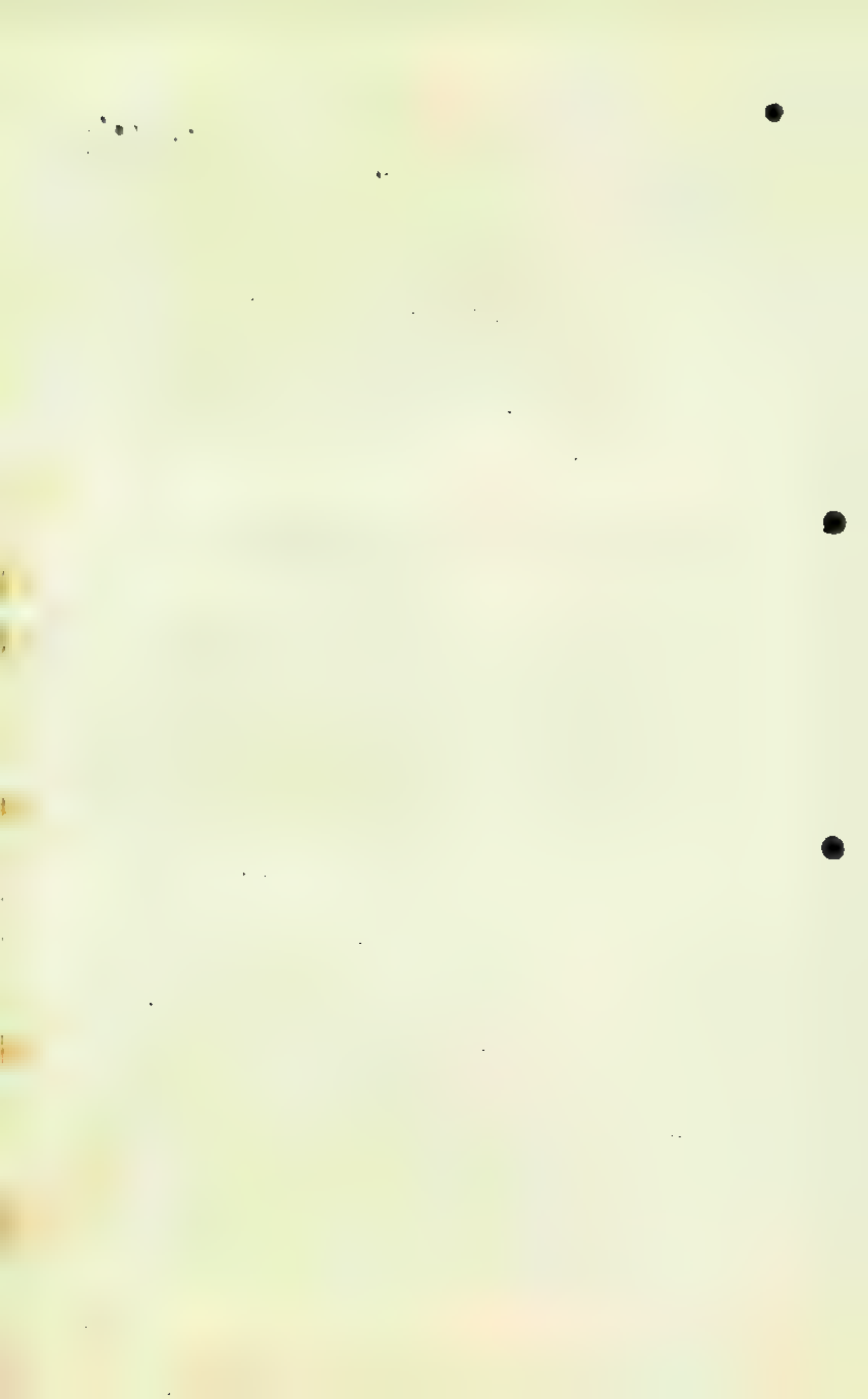
I have the honour to transmit
to you, for your information, copies of
the papers noted below ~~in the subject of~~
and to invite your attention to Appendix B.

I have the honour to be,
Sir,
Your most obedient, humble servant,

(Sgd). L.S. Amery.

The High Commissioner
for Palestine.

Date	Description.
	Report by the British Government Delegates to the Minister of Labour of the Seventh Session of the International Labour Conference, held at Geneva from May to June, 1935.



RESOLUTION CONCERNING THE PRESENT LABOUR CONDITIONS OF ASIA
1. The Conference

The Seventh Session of the International Labour Conference expresses the hope that the International Labour Office will continue to collect and publish all available information regarding the conditions of labour in Asiatic countries; and also requests the Governing Body of the International Labour Office, in consultation with the Governments concerned, to undertake so far as is possible a documentary inquiry into the conditions of labour in those countries, and especially in China, India, Japan and Siam and in the Colonies Protectorates and Mandated Territories in Asia.

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control of the press and the control of the press.

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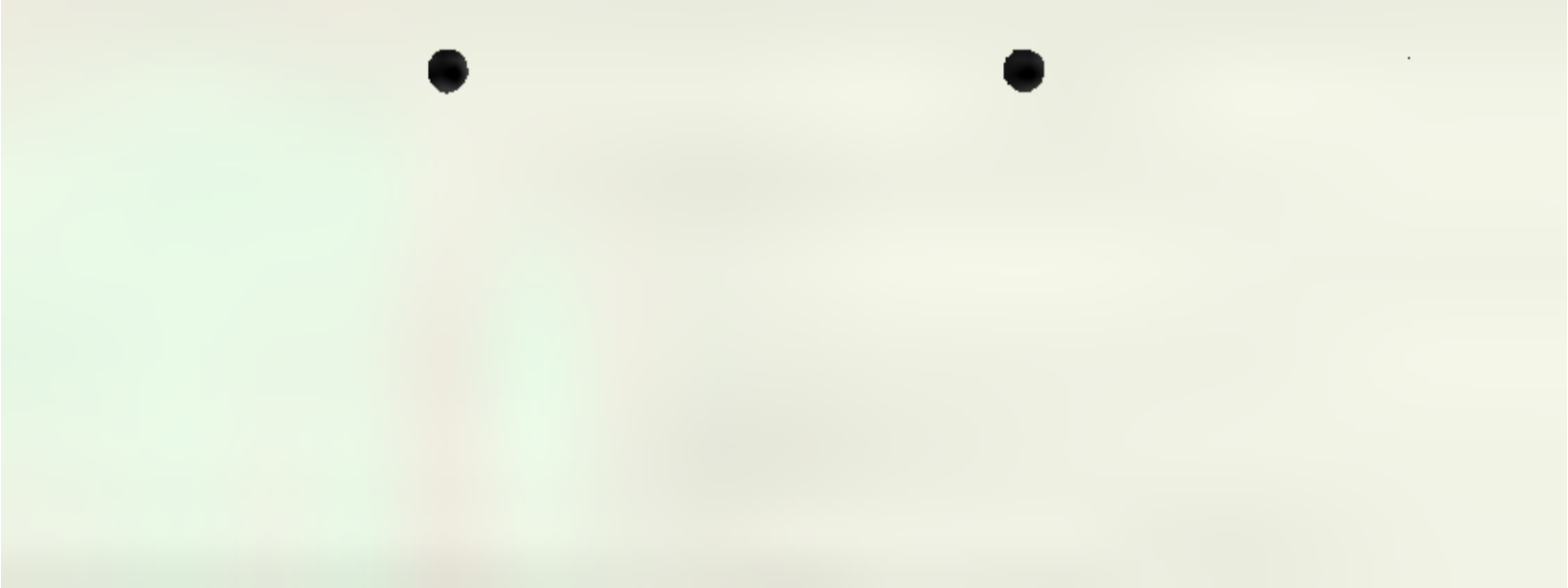


EXTRACT FROM LETTER OF 10-25

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1 NO JMS, 1925



APPENDIX V.

RESOLUTION CONCERNING AN ENQUIRY INTO CONDITIONS OF LABOUR
IN THE ICE COUNTRY AS ADOPTED BY THE CONFERENCE.

The Seventh Session of the International Labour Conference expresses the hope that the International Labour Office will continue to collect and publish all available information regarding the conditions of labour in Asiatic countries; and also requests the Governing Body of the International Labour Office, in consultation with the Governments concerned, to undertake so far as is possible a documentary inquiry into the conditions of labour in those countries, more especially in China, India, Japan and Siam and in the Colonies Protectorates and Mandated Territories in Asia.

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2. The second line of the document is a header line.

3. The third line of the document is a header line.

4. The fourth line of the document is a header line.

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CHINA HUNG KONG

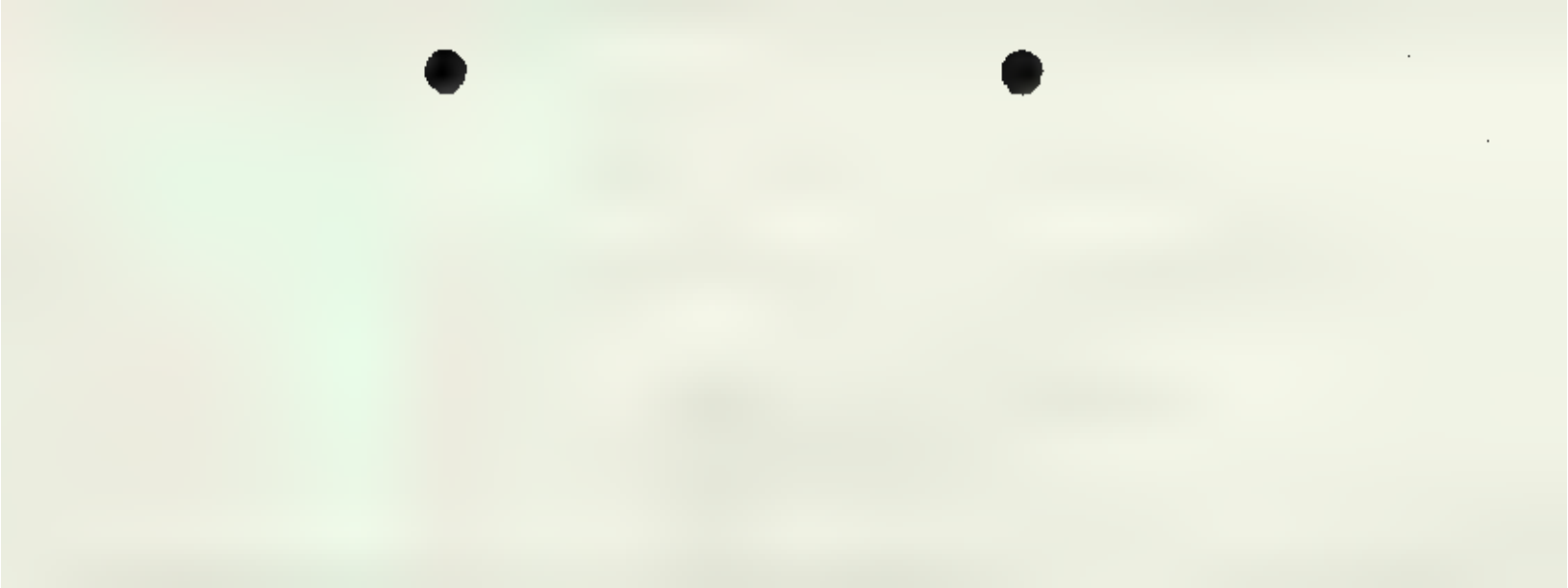
The Seventh Session of the International Labour Conference expresses the hope that the International Labour Office will continue to collect and publish all available information regarding the conditions of labour in Asiatic countries; and also request the Governing Body of the International Labour Office, in consultation with the Governments concerned, to undertake so far as is possible a documentary inquiry into the conditions of labour in these countries, and especially in China, India, Japan and Korea and in the Colonies Protectorates and Mandated Territories in Asia.

EXTRACT FROM LOGUE OF ACTIONS

INTERNATIONAL LABOR CONFERENCE

SEVENTH SESSION, CLEVELAND

FROM MAY TO JUNE, 1925



RESOLUTION CONCERNING THE IMPROVEMENT OF THE CONDITIONS OF LABOUR
IN THE EAST ASIAN COUNTRIES BY THE CONFERENCE.

The Seventh Session of the International Labour Conference expresses the hope that the International Labour Office will continue to collect and publish all available information regarding the conditions of labour in Asiatic countries; and also requests the Governing Body of the International Labour Office, in consultation with the Governments concerned, to undertake so far as is possible a documentary inquiry into the conditions of labour in those countries, more especially in China, India, Japan and Siam and in the Colonies, Protectorates and Mandated Territories in Asia.

The Seventh Session of the International Labour Conference expresses the hope that the International Labour Office will continue to collect and publish all available information regarding the conditions of labour in Asiatic countries; and also urges the Governing Body of the International Labour Office, in consultation with the Governments concerned, to undertake so far as is possible a Documentary Inquiry into the conditions of labour in the countries, and especially in China, India, Japan and Siam and in the Colonies, Protectorates and Mandated Territories in Asia.

1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the problem and the objectives of the research. The second part of the report is a detailed description of the methods used in the study. This includes a description of the experimental design, the subjects, the materials, and the procedures. The third part of the report is a presentation of the results of the study. This includes a description of the data collected and the statistical analysis of the data. The fourth part of the report is a discussion of the results and their implications. This includes a comparison of the results with previous research and a discussion of the limitations of the study.

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10/1/2

5

CHIEF CLERK.

Subject : Publications of the
League of Nations.

Will you be so good as to
request the Secretariat of the League of
Nations to furnish copies of the reports
of the 4th and 5th International Labour
Conferences, for the Library of the Permits
Section.

Reports of the 1st, 2nd, 3rd,
6th and 7th have already been received
through the medium of the ~~Jerusalem~~ Secretariat.

CONTROLLER.

AF

25/10

6/11

2/11



Mr Childs :

I don't indicate
your note.

I have not finished
with this. I will
for the remainder of
the set. 1/10/9

My dear

My note indicates
that the enclosure
could be passed to
the Officer.

The remainder of
the set is being
passed from the C.S.
File herewith - please
see 1/10/9.

Should
another
the office.
4. His report to the
and to a local committee.

Dear Rudolph,

These papers
are sent on
to you as they
are received
in this office.
When the missing
ones will be
received, you'll have the

We have received from you
the minutes of the 1st. 2nd. 3rd
6th & 7th. Sessions of the
International Labour Conference.
held under the auspices of the
League of Nations.

Would you kindly ascertain
whether you have the missing
Numbers. If so, please send
them in soon. Early

Mr. Sperling.

Yours are

H. May.

H. Pattenbaum

24/1/15

N 35820

Confidential

GOVERNMENT OF PALESTINE

Department of Immigration and Travel.

Police Office

Date

To

Applicant's name

Herewith application forms, duly stamped
together with three photographs.

Applicant has been requested to call at

for Laissez Passer on the _____ 192

1. Recommended

2. No objection

3. Other observations

1 & T/6

District Commandant

(F.S. 3.)

No.

99837

COMMODITY

Kilos

Kilos

Kilos

Kilos

Kilos

Kilos

Kilos

Tel Add. "HIGHCOMA, JERUSALEM"

Any reply should be addressed to:
THE CHIEF SECRETARY,
GOVERNMENT OFFICES,
JERUSALEM

and should quote

SECRETARIAT,

GOVERNMENT OFFICES,

JERUSALEM.

3rd

17

for discussion

10-11

February

5

Dear Lurock,

I send you herewith the official publications available here regarding the League of Nations Labour Conferences & Conventions adopted.

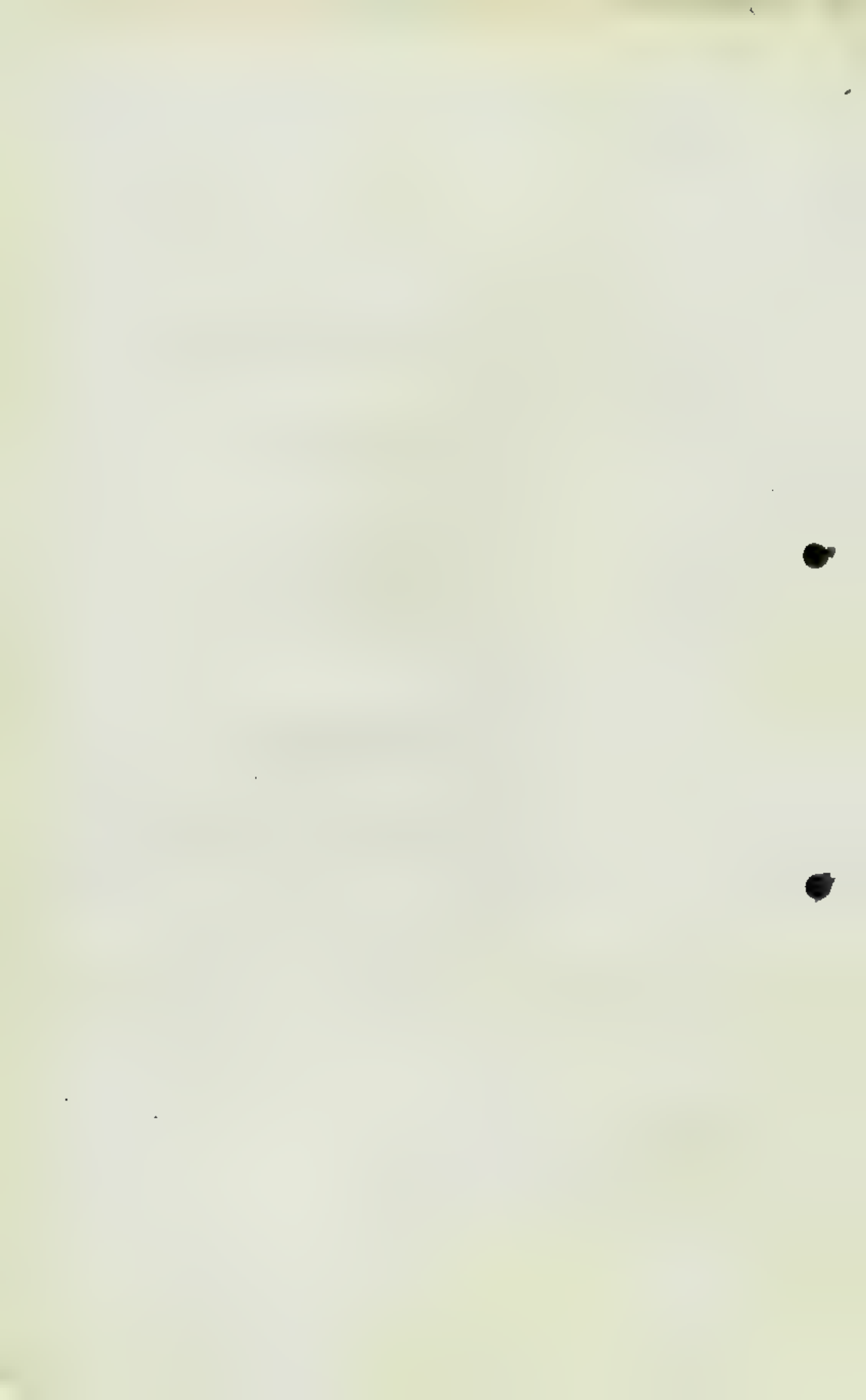
- (1) Report of Proceedings of 1st Annual Meeting. International Labour Conference (1 volume)
- (2) Draft Conventions adopted at this meeting (Cmd 627)
- (3) Draft Conventions adopted at second International Labour Conference (Cmd 1174)
- (4) Report of Proceedings of 3rd International Labour Conference (2 volumes)
- (5) International Labour Review Vol. VI No. 6 for December 1922 containing report of 4th International Labour Conference.
- (6) International Labour Review Vol. VIII - No. 6 for December 1923 - containing report of 5th International Labour Conference.
- (7) International Labour Review Vol. X No. 4 for October 1924 containing report of 6th International Labour Conference.

Kindly have them all returned to this office as soon as finished with.

Yours

Max Lurock Esq.,
Government Offices,
Jerusalem.

(12)



11

INTERNATIONAL LABOUR CONFERENCES.

1st Convention
1919 - at Washington.

1. Hours.

8 hour day or 48 hour week in all "industrial undertakings".
In the case of Japan the number of hours is 57 to 60 except for persons under 15 years of age and all miners for whom it is 48 hours per week. British India - 60 hours week. Provisions of this convention do not apply at all to China, Persia or Siam.

2. Unemployment.

- (a) Each member ratifying this convention to communicate to I.L.O. all information as soon as available concerning unemployment.
- (b) Free public employment agencies and coordination with private agencies of such exist. Coordination by the I.L.O. of the various national systems.
- (c) Interchange of Employment insurance benefits between members by agreement where such exist.

3. Treatment of Foreign Workers.

Foreign workers to be admitted on terms of reciprocity to benefits of laws and regulations enjoyed by natives as well as rights of organisation.

11

4. Childbirth - Employment of women before and after.

- (a) Not to be employed for 6 weeks following confinement.
- (b) Have the right to leave work 7 weeks before confinement.
- (c) To enjoy full benefits during such absence.
- (d) To be allowed half an hour twice a day during working hours to nurse her child if nursing herself.

5. Night work - Women.

No women to be employed at night time (night = 11 continuous hours including the period between 10 p.m. and 5 a.m.) Conditions vary where climatic conditions are favourable.

6. Prevention of Anthrax.

Disinfection of wool infected with anthrax spores - either in country of export or country of import.

7. Protection of women and children against lead poisoning.

(Children - young persons under 18 years of age).

Employment of above to be excluded from all undertakings (enumerated in draft) where danger of lead poisoning exists.

8. Government Health Service.

Establishment of efficient factory inspection and Government Service charged with safeguarding health of workers which will keep in touch with I.L.O.

9. Minimum age for employment of children.

No children under 14 to be employed (India and Japan under 12).

10. Employment of young persons at night.

(a) No young persons under 16 to be employed at night.

(b) Young persons over 16 and under 18 years may be employed only in limited number of trades where process of manufacture is continuous night and day.

11. Prohibition of the use of White Phosphorus.

White Phosphorus not to be used in manufacture of matches.

and Convention
1920 - Genoa.

1. 8 hour working day (48 hour week) for fishing industry.
2. D₂ for work in Inland Navigation.
3. Embodiment in "seamen's code" all laws and regulations in force in each country regarding seamen and their activities for the guidance of all concerned.
4. Children under 14 years not to be employed on vessels engaged in maritime navigation.
5. Unemployment insurance for seamen.
6. Indemnity against unemployment (of seamen) resulting from shipwreck.
7. Employment exchanges for seamen to be established by Governments. Private employment agencies for seamen to be gradually abolished and if such exist to continue only under Government license.

3rd Convention
1921 - Geneva.

1. Prevention of Unemployment among
agricultural workers.

- (a) Adoption of modern technical methods to bring into cultivation uncultivated or partially cultivated land.
- (b) Encouraging improved systems and intensive cultivation of land.
- (c) Provision of facilities for settlement on the land.
- (d) Transport facilities for unemployed.
- (e) Provision of employment during seasonal unemployment.
- (f) Creation of cooperative societies and credit for purchase or renting of land.

2. Protection of Women employed in
Agriculture before and after childbirth.

Provisions similar to those
adopted at Washington Conference.

3. Employment of children in agriculture.

No children under 14 to be employed
except light work for practical vocation
instruction.

4. Employment of children and young
persons at night.

To be arranged so that a sufficient
period of rest be assured of at least
10 hours at night.

5. Development of agricultural technical education to be encouraged as far as possible.
6. Provision of sufficient and suitable "living in" accommodation for agricultural workers - heating - separate beds - separation of sexes - provision for children. Stables etc. not to be used for sleeping quarters.
7. Agricultural workers to have the same rights of combination and association as industrial workers.
8. Extension of laws and regulations providing "workers compensation" to agriculturists under similar terms as industrials.
9. Extension of social insurance (unemployment, sickness, invalidity, old age) to agriculturists as those existing for industrials.
10. White Lead in Painting.
 - (1) Limitation of use of white lead etc. in painting.
 - (2) No males under 18 or females to be employed in any process involving use of white lead except for apprentices for purpose of learning trade.
 - (3) Regulations for use of white lead in principles set out.
11. Weekly rest in all industrial undertakings.
 - (a) 24 hours (consecutive)
 - (b) Simultaneous for whole staff if possible.
 - (c) To coincide with the day already fixed by tradition or custom of country when possible.
12. Weekly Rest for commercial undertakings - as above.

13. Employment of young persons
as "Trimmers or Stokers."

18 years of age to be minimum

16 " " " " " " for
India and Japan.

14. Compulsory Medical examination
of young children and young persons
employed at Sea.

Employment to certificate of
medical fitness which should be
renewed annually.

4th Convention.
1922 - held at Geneva.

1. Statistical information regarding
Immigration etc.

- (a) All available information of measures taken or contemplated in connection with emigration and Immigration to be communicated to I.L.O. according to certain specified classification.
- (b) Members to agree where possible in adoption of uniform definition of term emigrant and uniform particulars to be entered on identity papers and uniform method of recording statistical information.

5th Convention.
1925 - Geneva.

1. The Organization of an efficient system of Inspection to secure the enforcement of laws and regulations affecting workers.
2. The training of such inspectors.

5th Convention
1924 - Geneva.

1. Securing the best use being made of spare time in accordance with the 8 hour day.
 - (a) Satisfactory living wage to prevent workers from having recourse to additional paid work.
 - (b) Working day to be so arranged to make spare time continuous.
 - (c) Efficient systems of transport to and from homes.
 - (d) Social hygiene - legislation against misuse of alcohol - prevention of tuberculosis.
 - (e) Housing
 - (f) Institutions - clubs - schools - sports.

INTERNATIONAL LABOUR CONFERENCES.

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1919 - at Washington.

1. Hours.

8 hour day or 48 hour week in all "industrial undertakings".
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2. Do for work in Inland Navigation.
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Provisions similar to those adopted at Washington Conference.

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4. Employment of children and young persons at night.

To be arranged so that a sufficient period of rest be assured of at least 10 hours at night.

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6. Provision of sufficient and suitable "living on" accommodation for agricultural workers - heating - separate beds - separation of sexes - provision for children. Stables etc. not to be used for sleeping quarters.
7. Agricultural workers to have the same rights of combination and association as industrial workers.
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- (b) Members to agree where possible in adoption of uniform definition of term emigrant and uniform particulars to be entered on identity papers and uniform method of recording statistical information.

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1923 - Geneva.

1. The Organization of an efficient system of Inspection to secure the enforcement of laws and regulations affecting workers.
2. The training of such inspectors.

6th Convention
1924 - Geneva.

1. Securing the best use being made of spare time in accordance with the 8 hour day.
 - (a) Sufficient living wage to prevent workers from having recourse to additional paid work.
 - (b) Working day to be so arranged to make spare time continuous.
 - (c) Efficient systems of transport to and from homes.
 - (d) Social hygiene - legislation against measure of alcohol - prevention of tuberculosis.
 - (e) Housing
 - (f) Institutions - clubs - schools - sports.

10

EXTRACT FROM "THE MINISTRY
OF
LABOUR GAZETTE.
Vol. XXI. No. 12, December, 1923.

INTERNATIONAL CONFERENCE OF OFFICIAL
LABOUR STATISTICIANS.

*Lab 5
part 1*

The Governing Body of the International Labour Office at its eighteenth session, held at Geneva on the 10th to the 12th April, 1923, approved a proposal to convene an International Conference of the official Labour Statisticians of different countries, a proposal prompted by the consideration that if statistics could be presented in such a manner as to render them internationally comparable, the scientific study of labour problems from the international point of view would be facilitated.

On the 10th August 1923, a circular letter was accordingly despatched to the Governments of the States members of the International Labour Organisation set up under the Treaty of Versailles, inviting them to send representatives to such a Conference the opening date of which was fixed for 29th October, 1923.

The Conference, which was attended by 52 representatives from 38 countries held its first meeting at 6 p.m. on Monday, 29th October and concluded its labours on the following Friday afternoon.

The agenda was limited to the following three items:-

- (a) Classification of industries and occupations for purposes of labour statistics;
- (b) Statistics of wages and hours of labour;
- (c) statistics of industrial accidents.

The Conference elected as President M. Julin, the Secretary General of the Belgian Ministry of Industry and Labour, at whose suggestion it then resolved itself into three committees to deal with the above three items.

The texts of the resolution submitted by the respective committees to the Conference, and adopted unanimously by the latter, after slight modifications, are as follows:-

- (I) Classification of Industries and Occupations (Chairman and Reporter of the Committee, Mr. John Hilton, Director of Statistics of the British Ministry of Labour).

1. Occupied persons should be classified in the first instance according to the industry in which they are employed, and within each industry they may be further classified according to their individual occupations. When it is not possible to give this double classification in sufficient detail to show the total number of workers in each individual occupation, it is necessary to make a second classification of all occupied persons according to their individual occupations; so that for comparative purposes two separate classifications will be available, (a) by industry and (b) by individual occupation.

63

2. Industries should be classified under the following main divisions :-

- (a) Primary production:-
Agriculture, Pasturing, Forestry, Hunting, Fishing, etc.
Mining, Quarrying, etc. i.e. extraction of minerals.
- (b) Secondary production:-
Manufacturing industries etc. i.e. the transformation or modification of minerals, together with the construction of buildings, roads etc. and the repair of finished products.
- (c) Services:-
Transport and communication
Commerce, Finance and Trade
Public Administration and Defence
Professional services
Domestic service and personal services for which remuneration is paid.
Supply of "board and lodging"

3. In classifying manufacturing industries the establishment considered as a technical unit should be taken as basis.

4. In the absence of an agreed classification of industries and as a preparation for such a classification, and in order to facilitate international comparison, the grouping of industries used in the different countries should be so subdivided that it would always be possible to secure separate information concerning an adequately complete number of industries included in a provisional list drawn up in alphabetical order, which might be prepared by the International Labour Office after consultation with the statistical service or any organisation which might usefully assist in this work.

5. It is desirable for purpose of international comparison that each country should publish definitions of the occupational, industrial and other terms most commonly used in that country in connection with labour statistics.

(II) STATISTICS OF RATES AND HOURS OF LABOUR (CHAIRMAN AND REPORTER OF THE COMMITTEE, M. Huber (FRANCE)):-

Detailed statistics of rates of wages, of actual earnings and of normal and actual hours of labour should be collected and published in each country as frequently as possible, account being taken of the special circumstances and conditions obtaining in each case. With a view to facilitating international comparisons, the responsible authorities in each country should so far as practicable, observe the following principles:-

- (1) At regular intervals, and at least once a year, should be published;
 - (a) statutory minimum rates;
 - (b) rates fixed in collective agreements;
 - (c) rates accepted by organisations of employers and work people for typical categories of workers.

(2) In order to provide an indication of the general course of wage movements, information should be published at more frequent intervals as to the nature and amount of any changes resulting from alterations in the statutory minimum rates or arranged between organisations of employers and workpeople. Particulars should be given of changes in the normal hours of labour and of alterations in the level of piecework rates.

3. At regular intervals, not less than once a year, average actual earnings and actual hours of labour during a typical period in a year should be given for each of the principal industries, based on data supplied by representative employers.

4. From the data indicated above, index numbers should be computed to show the general course of changes in nominal wage rates and in actual earnings. Index numbers of the purchasing power of the wages should also be calculated by relating changes in actual earnings to changes in the cost of living, the necessary precautions being taken to ensure that the two series of data are comparable.

The nominal wages employed in computing the index numbers should be given in every case.

5. At less frequent intervals general wage censuses should be taken, information being obtained from the pay sheets of establishments to show rates of wages and the actual earnings in a typical week. The information should be given by industries, districts, occupations and sex, and a distinction should be made between adults and young persons.

(III) STATISTICS OF INDUSTRIAL ACCIDENTS (M. BOHREN) (SWITZERLAND) WAS ELECTED CHAIRMAN, AND REPORTER TO THIS COMMITTEE, WHICH INCLUDED AMONGST ITS MEMBERS MR G. BELLHOUSE, C.B.E., H.M. CHIEF INSPECTOR OF FACTORIES, GREAT BRITAIN).

1. Classification of Industrial Accidents.

Industrial accidents should be classified according to the industry of the injured worker, the cause of accident, the extent and degree of disability, the location of the injury and the nature thereof.

(a) The classification of industrial accidents according to the industry of the injured worker should conform to the list indicated in paragraph 4 of the Resolution concerning the Classification of Industries, with such sub-divisions as will allow special consideration to be given to industries with a relatively high accident rate.

(b) The classification of accidents according to the cause of accident should as far as possible be in accordance with the Table given below, with such sub-divisions as may be considered necessary.

1. Machinery.- (a) Prime movers, (b) transmission machinery, (c) lifting machinery, (d) working machinery. II. Transport.- (a) Railways, (b) ships, (c) vehicles. III. Explosions, fire. IV. Poisonous, hot or corrosive substances. V Electricity. VI Falls of persons. VII. Stepping on or striking against objects. VIII. Falling objects. IX. Falls of ground. X. Handling without machinery. XI. Hand tools. XII. Animals. XIII. Miscellaneous.

(c) In the classification of accidents according to the extent and degree of disability, a distinction should be made between fatal and non-fatal accidents and between temporary and permanent disabilities.

Temporary disabilities should be classified according to duration, and uniformity should be obtained by using the following groups.

Permanent disabilities should be classified by degree, and uniformity should be obtained by using the following groups.

Permanent disabilities should be classified at the time they are recognized as such.

(d) The location of injury should be clearly distinguished from the nature of injury. The most suitable classification is that of the common anatomical divisions of the body, viz:-
(i) head; (ii) trunk; (iii) upper extremities; (iv) lower extremities
(v) general.

Each of these groups should be sub-divided if necessary.

(e) The nature of injury should be classified as follows:-
(i) contusions and abrasions; (ii) burns and scalds; (iii) concussions; (iv) cuts and lacerations; (v) punctured wounds; (vi) amputations; (vii) dislocations; (viii) fractures; (ix) sprains and strains; (x) asphyxiation; (xi) drowning; (xii) other injuries.

Note:- In publishing the above statistics a note should be added on the following points:- (1) the scope of the legislation; (2) the system of insurance (compulsory or optional); (3) the nature of the accidents included; (4) the methods of reporting the accidents and of compiling the statistics; (5) a summary of the benefits given to the injured or to their dependants.

In countries in which industrial diseases are compensated as accidents, they should, wherever possible, be distinguished separately in the tables.

2. Accident Rates.

For industrial and international comparison, it is essential to calculate frequency rates and severity rates.

(a) The frequency rate should, if possible, be calculated by dividing the number of accidents (multiplied by 100,000) by the number of hours of working time

(b) The severity rate should similarly be calculated by dividing the number of working hours lost (multiplied by 100,000) by the number of hours of working time.

Where practical difficulties prevent the calculation of the number of hours of working time, this number should be replaced by the number of full-time workers (i.e., the number of man-days divided by 300), or the average number of workers, as may be best suited to the economic and social needs of the country or industry concerned.

RECOMMENDATION

It is hoped that countries in which compensation is invariably paid in the form of pensions will forward for compilation by the International Labour Office the necessary details for the determination of the mortality rates among persons injured in industrial accidents, so as to establish the degree in which this mortality is influenced by the age of the pensioner, by the time elapsing since the conclusion of medical treatment, and by the extent of industrial capacity.

At its final plenary session the Conference further adopted unanimously the following Resolution, proposed by Mr. John Hilton, Director of Labour Statistics, Great Britain:-

In order that the International Labour Office may make tentative comparisons of the level of real wages in the different countries, the competent statistical authorities of each country should as from First January, 1924, furnish the International Labour Office at regular intervals (if possible monthly) with statements, in a form to be agreed upon, showing for the capital cities of their respective countries:-

(i) the time-rates of wages and normal weekly hours of labour current in a limited number of typical occupations, and

(ii) information as to the prices of a limited number of those items upon which the income for working-class families in most industry-developed countries is largely spent.

Lab/s

29 May, 1922.

Director of
IMMIGRATION & TRAVEL.

Reference :- Your DIT/655/1 of 24.5.22.
Subject :- International Labour
Conference.

Information under the undermentioned headings
would probably be of service to the Conference :

Statistics of immigrants classified according
to categories, sex and place of origin. If category
"E" could be subdivided according to trades it would
it is thought be a further advantage.

Statistics of ^{Em}igrants similarly classified
if possible and stating lands of destination.

Statistics of immigrants who leave Palestine.

RECEIVED
MAY 29 1922

CONTROLLER.

/MA.

Telegrams : TRAVEL, Jerusalem.
Telephone : No. 18, Jerusalem.
P. O. Box : No. 437, Jerusalem.

DEPARTMENT OF IMMIGRATION & TRAVEL,
JERUSALEM.

DIT/655/1.

24 May 1922

Controller of Labour.

Subject:- International Labour
Conference of League of
Nations.

Reference: Your Lab.5 of 15-5-22.

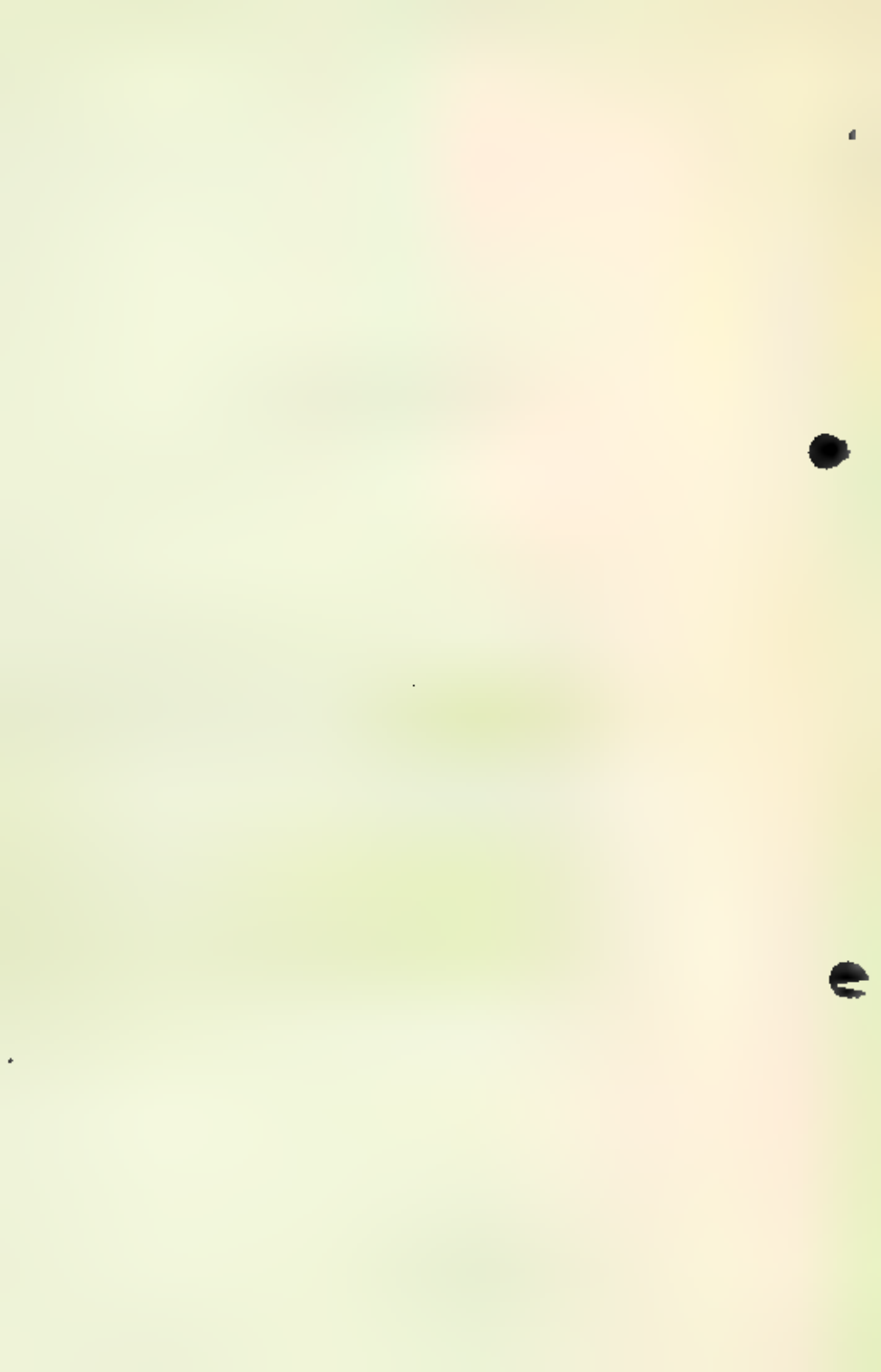
I should be glad to know precisely
what information you think would be of
use.

25 MAY 1922

P. LESTER

E/M.


DIRECTOR.



Lab, 5.

15 May, 1922.

Director of
IMMIGRATION & TRAVEL.

Subject :- International Labour Conference,
of League of Nations.

Item II of the Agenda of the International Labour Conference to be held next October runs as follows :
"Communication to the International Labour Office of statistical and other information regarding emigration and immigration and the repatriation and Transport of emigrants".

This Administration has of course much information on the abovementioned subjects, so far as they relate to Palestine, which may prove of value to the International Labour Office and it is suggested that an offer be made through the Colonial Office to place this information at the disposal of the Labour Office.

CONTROLLER.

Copy to :-
CIVIL SECRETARY.

/MA.

Lab.5

15 May, 1922.

Dear Abramson,

Reference :- Your Adm.283 of 11.5.22.
Subject :- International Labour Conference

My Lab/5 of 5.5.22 arose out of previous correspondence with Sir Wyndham and Major Young personally on the subject of the relations between this Administration and Department and the International Labour Office. It was for that reason that my Lab.5 was sent to you instead of to Immigration & Travel. The immediate subject concerns this Department very slightly. I have now written to Immigration & Travel in accordance with accompanying copy.

Yours sincerely,

GH

Mr. Abramson } OBE
Government House.
Jerusalem.

/MA.

SECRETARIAT,

GOVERNMENT HOUSE,

JERUSALEM.

Tel. address: "HICOM, JERUSALEM"

Any reply should be addressed to
THE CIVIL SECRETARY
GOVERNMENT HOUSE,
JERUSALEM

CONFIDENTIAL.

11th May, 1922.

Controller of Labour.

I refer myself to my note No. 283 of
in connection with the supply of statistics
to the International Labour Conference.

I think it would be as well in future
if in respect of matters that are in part or in their
entirety equally the concern of the Department of
Immigration & Travel, ~~that~~ you ~~will~~ take the opinion
of the Director of that Department in lieu of presenting
your proposals or suggestions direct to the Civil
Secretary.

It is desirable that the ordinary channel
for communication to the Civil Secretary of matters
that fall in the province of the Department of
Immigration & Travel, should be through the Director
of that Department.

Herbert

DN/US



TEL. ADDRESS
"HAGAN, JERUSALEM"

SECRETARIAT,
GOVERNMENT HOUSE,
JERUSALEM.

11th May, 1922.

Controller of labour.

Subject: International Labour Conference.
Lab/5 of 5th May, 1922.

I would suggest that you consult with the Director of Immigration & Travel in regard to the possible co-operation by this Administration in the provision to the International Labour Conference of information of the kind under reference regarding emigration, immigration, repatriation and transport of emigrants.

In principle it would seem that if such information is available it should certainly be placed by this Administration at the disposal of the International Labour Conference.

Max [unclear]
A.C.S.(A).
For CIVIL SECRETARY.

LM/US

LM

Lab/5

5 May, 1922

CIVIL SECRETARY.

Subject :- International Labour Conference
of League of Nations.

Item II of the Agenda of the International Labour Conference to be held next October runs as follows :
"Communication to the International Labour Office of statistical and other information regarding emigration and immigration and the repatriation and Transport of emigrants".

This Administration has of course much information on the above mentioned subjects so far as they relate to Palestine, which may prove of value to the International Labour Office and it is suggested that an offer be made through the Colonial Office to place this information at the disposal of the Labour Office.

CONTROLLER.

AIA.

1628

✓

27 April, 1922.

Dear Hyamson.

In reply to your letter of the 14th of April, I can only say that I think it is better to go very slowly in this matter. I rather gather from your note that you anticipate a sort of direct relation between the Palestine Government and the Labour Office of the League of Nations. I do not think that that idea should be encouraged. Palestine will always be in a far stronger position in international matters in and through Great Britain. We believe here, with some ground for the belief, that although work through the League of Nations does not at present progress very rapidly, yet we are probably the greatest factor in the existence of the League. Our punctilious regard for the correct observance of all formalities connected with the League of Nations is much appreciated, particularly by the permanent officials of the Secretariat. This being so, Palestine would better be served by relation to the League in and through us. We can

easily

A.M. HYAMSON, ESQ.



easily obtain publications and reports of all that is decided by the League from the Cabinet Secretariat: any matter that affects Palestine can then be discussed between the Palestine Government and ourselves.

These are only my personal views. We will of course give an official answer if the question is put by the High Commissioner.

Yours sincerely
Hubert Young

Lab. #5

14 April, 1922.

Major H.W. Young, D.S.O.
Colonial Office,
Downing Street
LONDON S.W.1, England.

Dear Major Young,

I should much appreciate your advice regarding the relationship between this Administration and the International Labour Office of the League of Nations. I of course realize that until the mandate is granted and the Palestinian State is constituted there can be no relations, but I am looking forward to the time, I trust not far ahead, when Palestine will have become a state. It is Sir Wyndham Deedes' personal desire as well as mine and will probably be the policy of this Administration to become if it is practicable, a constituent of the International Labour Office and I should like in order not to lose time take whatever preliminary steps are practicable without delay. I notice that general questions of immigration and emigration are on the agenda of the next session of the Conference and as these are matters that concern us deeply we should of course like to have the opportunity of profiting ^{by} whatever action is taken regarding them. What if any steps do you think we should take now?

I am,

Yours very truly,

GOVERNOR.

/MA.

for

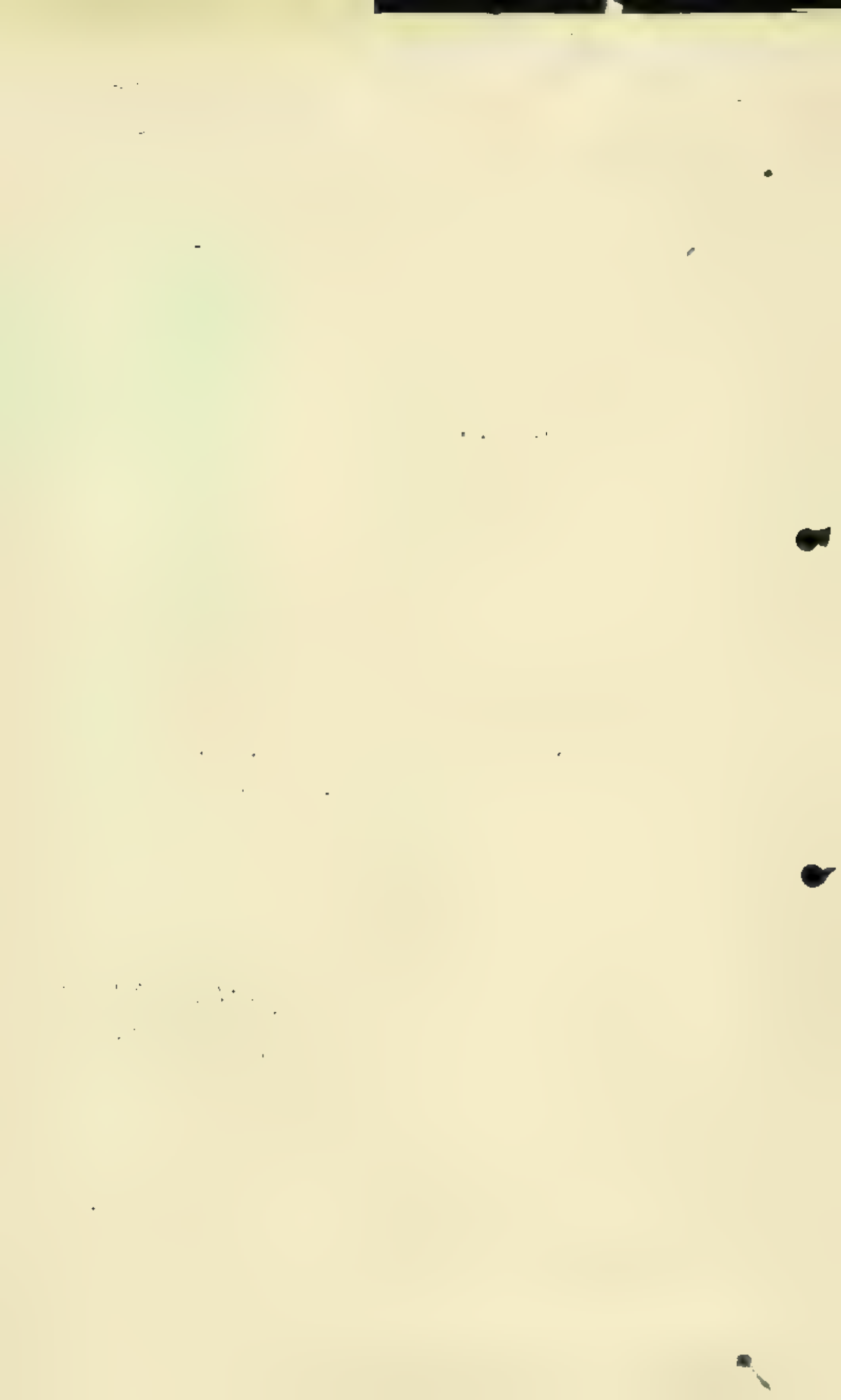
27. 10. 78.

To Director, Department of Trade
Commerce

International Labour Conference

A.C.C. (A)
For CIVIL SECRETARY

Q.?



SOCIÉTÉ DES NATIONS.

LEAGUE OF NATIONS.

(15/5546/1956.)

CONFÉRENCE INTERNATIONALE DU TRAVAIL. INTERNATIONAL LABOUR CONFERENCE.

PROJETS DE CONVENTIONS ET RECOMMANDATIONS.

ADOPTÉS PAR LA CONFÉRENCE AU COURS DE SA
DEUXIÈME SESSION, 15 JUIN—10 JUILLET, 1920.

DRAFT CONVENTIONS AND RECOMMENDATIONS

ADOPTED BY THE CONFERENCE DURING ITS
SECOND MEETING, 15 JUNE—10 JULY, 1920.

(TEXTES AUTHENTIQUES.)

(AUTHENTIC TEXTS.)

Presented to Parliament by Command of His Majesty.



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1921.

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Sunderland House,
Curzon Street,
LONDRES.
19 août 1920.

Les Projets de Conventions et les Recommandations dont les textes sont reproduits ci-après ont été adoptés par la Conférence Internationale du Travail, au cours de la session qu'elle a tenue à Gênes. La Recommandation tendant à limiter les heures de travail dans l'industrie de la pêche a été adopté le 30 juin 1920; les autres Recommandations et Projets de Conventions ont été adoptés le 9 juillet 1920, à l'exception du Projet de Convention concernant le placement des marins qui a été adopté le 10 juillet 1920.

Les textes des Projets de Conventions et des Recommandations présentés ici sont des copies exactes des textes authentiqués par les signatures du Président de la Conférence Internationale du Travail et du Directeur du Bureau International du Travail, et déposés entre les mains du Secrétaire Général de la Société des Nations.

*Secrétaire Général
de la Société des Nations.*

Sunderland House,
Curzon Street,
LONDON.
19 August, 1920.

The Draft Conventions and Recommendations here reprinted were adopted by the International Labour Conference at its session held in Genoa. The Recommendation concerning the limitation of hours of work in the fishing industry was adopted on 30 June, 1920; the other Recommendation and Draft Conventions were adopted on 9 July, 1920, with the exception of the Draft Convention for establishing facilities for finding employment for seamen, which was adopted on 10 July, 1920.

The texts of the Draft Conventions and Recommendations as here presented are true copies of the texts authenticated by the signatures of the President of the International Labour Conference and of the Director of the International Labour Office, and deposited with the Secretary-General of the League of Nations.

*Secretary-General
of the League of Nations.*

**PROJETS DE CONVENTIONS ET RECOM-
MANDATIONS ADOPTÉS PAR LA CON-
FÉRENCE INTERNATIONALE DU TRAVAIL
À GÈNES.**

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**DRAFT CONVENTIONS AND RECOMMENDA-
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CONFÉRENCE INTERNATIONALE DU TRAVAIL.
INTERNATIONAL LABOUR CONFERENCE.

**RECOMMANDATION TENDANT À LIMITER
LES HEURES DE TRAVAIL DANS L'IN-
DUSTRIE DE LA PÊCHE.**

La Conférence Générale de l'Organisation Internationale du Travail de la Société des Nations,

Convoquée à Gênes par le Conseil d'Administration du Bureau International du Travail, le 15 juin 1920,

Après avoir décidé d'adopter diverses propositions relatives aux "Conditions d'application aux marins de la Convention faite à Washington au mois de novembre dernier, et ayant pour objet de limiter à 8 heures par jour et 48 heures par semaine le nombre des heures de travail dans toutes les entreprises industrielles, et notamment dans les entreprises de transport par mer et, sous conditions à définir, par voie d'eau intérieure. Répercussion sur les effectifs à bord et sur l'application des règlements concernant le logement et l'hygiène," question formant le premier point de l'ordre du jour de la session de la Conférence tenue à Gênes, et

Après avoir décidé de rédiger ces propositions sous forme de recommandation,

adopte la Recommandation ci-après, qui sera soumise à l'examen des Membres de l'Organisation Internationale du Travail, en vue de lui faire porter effet sous forme de loi nationale ou autrement, conformément aux dispositions de la Partie relative au Travail du Traité de Versailles du 28 juin 1919, du Traité de Saint-Germain du 10 septembre 1919, du Traité de Neuilly du 27 novembre 1919, et du Traité du Grand Trianon du 4 juin 1920 :

Considérant la déclaration contenue dans les Traités de Paix et aux termes de laquelle toutes les communautés industrielles devraient s'efforcer d'adopter, autant que les circonstances spéciales dans lesquelles elles pourraient se trouver le permettraient, "la journée de huit heures ou la semaine de quarante-huit

**RECOMMENDATION CONCERNING THE
LIMITATION OF HOURS OF WORK IN
THE FISHING INDUSTRY.**

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Genoa by the Governing Body of the International Labour Office, on the 15th day of June, 1920, and

Having decided upon the adoption of certain proposals with regard to the "Application to seamen of the Convention drafted at Washington, last November, limiting the hours of work in all industrial undertakings, including transport by sea and, under conditions to be determined, transport by inland waterways, to 8 hours in the day and 48 in the week. Consequential effects as regards manning and the regulations relating to accommodation and health on board ship," which is the first item in the agenda for the Genoa meeting of the Conference, and

Having determined that these proposals shall take the form of a recommendation,

adopts the following Recommendation, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the Labour Part of the Treaty of Versailles of 28 June, 1919, of the Treaty of St. Germain of 10 September, 1919, of the Treaty of Neuilly of 27 November, 1919, and of the Treaty of the Grand Trianon of 4 June, 1920 :

In view of the declaration in the Treaties of Peace that all industrial communities should endeavour to adopt, so far as their special circumstances will permit, "an eight-hours' day or a forty-eight hours' week as the standard to be aimed at where it has not already been attained," the International Labour

heures comme but à atteindre partout où il n'a pas encore été obtenu." la Conférence Internationale du Travail recommande que chaque Membre de l'Organisation Internationale du Travail adopte une législation limitant en ce sens les heures de travail de tous les travailleurs employés dans l'industrie de la pêche, avec les clauses spéciales nécessaires pour faire face aux conditions particulières à cette industrie en chaque pays; et que, pour la préparation de cette législation, chaque Gouvernement consulte les organisations patronales et les organisations ouvrières intéressées.

Conference recommends that each Member of the International Labour Organisation enact legislation limiting in this direction the hours of work of all workers employed in the fishing industry, with such special provisions as may be necessary to meet the conditions peculiar to the fishing industry in each country; and that in framing such legislation each Government consult with the organisations of employers and the organisations of workers concerned

SOCIÉTÉ DES NATIONS.

LEAGUE OF NATIONS.

CONFÉRENCE INTERNATIONALE DU TRAVAIL.

INTERNATIONAL LABOUR CONFERENCE.

RECOMMANDATION TENDANT À LIMITER LES HEURES DE TRAVAIL DANS LA NAVIGATION INTÉRIEURE.

RECOMMENDATION CONCERNING THE LIMITATION OF HOURS OF WORK IN INLAND NAVIGATION.

La Conférence Générale de l'Organisation Internationale du Travail de la Société des Nations,

Convoquée à Gênes par le Conseil d'Administration du Bureau International du Travail, le 15 Juin 1920,

Après avoir décidé d'adopter diverses propositions relatives aux " Conditions d'application aux marins de la Convention faite à Washington au mois de novembre dernier, et ayant pour objet de limiter à 8 heures par jour et 48 heures par semaine le nombre des heures de travail dans toutes les entreprises industrielles, et notamment dans les entreprises de transport par mer et, sous conditions à définir, par voie d'eau intérieure, répercussion sur les effectifs à bord et sur l'application des règlements concernant le logement et l'hygiène," question formant le premier point de l'ordre du jour de la session de la Conférence tenue à Gênes, et

Après avoir décidé de rédiger ces propositions sous forme de recommandation,

adopte la Recommandation ci-après, qui sera soumise à l'examen des Membres de l'Organisation Internationale du Travail, en vue de lui faire porter effet sous forme de loi nationale ou autrement, conformément aux dispositions de la Partie relative au Travail du Traité de

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Genoa by the Governing Body of the International Labour Office on the 15th day of June, 1920, and

Having decided upon the adoption of certain proposals with regard to the " application to seamen of the Convention drafted at Washington, last November, limiting the hours of work in all industrial undertakings, including transport by sea and, under conditions to be determined, transport by inland waterways, to 8 hours in the day and 48 in the week. Consequential effects as regards manning and the regulations relating to accommodation and health on board ship," which is the first item in the agenda for the Genoa meeting of the Conference, and

Having determined that these proposals shall take the form of a recommendation,

adopts the following Recommendation, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the Labour Part of the Treaty of Versailles

Versailles du 28 juin 1919, du Traité de Saint-Germain du 10 septembre 1919, du Traité de Neuilly du 27 novembre 1919, et du Traité du Grand Trianon du 4 juin 1920 :

Considérant la déclaration contenue dans les Traités de Paix et aux termes de laquelle toutes les communautés industrielles devraient s'efforcer d'adopter, autant que les circonstances spéciales dans lesquelles elles pourraient se trouver le permettraient, "la journée de huit heures ou la semaine de quarante-huit heures comme but à atteindre partout où il n'a pas encore été obtenu," la Conférence Internationale du Travail recommande :

I.

Que chaque Membre de l'Organisation Internationale du Travail établisse, s'il ne l'a déjà fait, une législation limitant, conformément à cette déclaration incluse dans les Traités de Paix, les heures de travail pour les personnes employées dans la navigation intérieure; que cette législation prévoit telles dispositions spéciales qui pourraient être rendues nécessaires par les conditions exceptionnelles, soit climatiques soit industrielles, afférentes à la navigation intérieure de chaque pays; et qu'elle soit établie après consultation des organisations patronales et des organisations ouvrières intéressées.

II.

Que les Membres de l'Organisation Internationale du Travail dont les territoires sont riverains de cours d'eau qui sont utilisés en commun par leurs bateaux, concluent entre eux des accords en vue de limiter, conformément à la déclaration précitée, les heures de travail des personnes employées dans la navigation intérieure sur les eaux dont il est question ci-dessus, après consultation des organisations patronales et des organisations ouvrières intéressées.

III.

Que de telles législations nationales et de tels accords entre pays riverains s'inspirent autant que possible des principes généraux du Projet de Convention concernant les heures de travail adopté par la Conférence Internationale du Travail à Washington, tout en tenant compte des conditions, climatiques ou autres, spéciales aux différents pays intéressés.

of 28 June, 1919, of the Treaty of St. Germain of 10 September, 1919, of the Treaty of Neuilly of 27 November, 1919, and of the Treaty of the Grand Trianon of 4 June, 1920 :

In view of the declaration in the Treaties of Peace that all industrial communities should endeavour to adopt, so far as their special circumstances will permit, "an eight hours' day or a forty-eight hours' week as the standard to be aimed at where it has not already been attained," the International Labour Conference recommends :

I.

That each Member of the International Labour Organisation should, if it has not already done so, enact legislation limiting in the direction of the above declaration in the Treaties of Peace the hours of work of workers employed in inland navigation, with such special provisions as may be necessary to meet the climatic and industrial conditions peculiar to inland navigation in each country, and after consultation with the organisations of employers and the organisations of workers concerned.

II.

That those Members of the International Labour Organisation whose territories are riparian to waterways which are used in common by their boats should enter into agreements for limiting in the direction of the aforesaid declaration, the hours of work of persons employed in inland navigation on such waterways, after consultation with the organisations of employers and the organisations of workers concerned.

III.

That such national legislation and such agreements between riparian countries should follow as far as possible the general lines of the Draft Convention concerning hours of work adopted by the International Labour Conference at Washington, with such exceptions as may be necessary for meeting the climatic or other special conditions of the countries concerned.

IV.

Que, pour l'application de cette Recommandation, chaque Membre de l'Organisation Internationale du Travail établisse, en ce qui le concerne, après consultation des organisations patronales et des organisations ouvrières intéressées, la distinction entre la navigation intérieure et la navigation maritime, et communique ses décisions à ce sujet au Bureau International du Travail.

V.

Que, chaque Membre de l'Organisation Internationale du Travail adresse au Bureau International du Travail, dans un délai de deux ans après la clôture de la Conférence de Gênes, un rapport sur les mesures prises en exécution de la présente Recommandation.

IV.

That, in the application of this Recommendation, each Member of the International Labour Organisation should determine for itself, after consultation with the organisations of employers and the organisations of workers concerned, what is inland navigation as distinguished from maritime navigation, and should communicate its determination to the International Labour Office.

V.

That each Member of the International Labour Organisation should report to the International Labour Office, within two years after the adjournment of the Genoa Conference, the progress which it has made in the direction of this Recommendation.

SOCIÉTÉ DES NATIONS.

LEAGUE OF NATIONS.

CONFÉRENCE INTERNATIONALE DU TRAVAIL.

INTERNATIONAL LABOUR CONFERENCE.

RECOMMANDATION CONCERNANT L'ÉTABLISSEMENT DE STATUTS NATIONAUX DES MARINS.

La Conférence Général de l'Organisation Internationale du Travail de la Société des Nations,

Convocée à Gênes par le Conseil d'Administration du Bureau International du Travail, le 15 juin 1920,

Après avoir décidé d'adopter diverses propositions relatives à l' " Examen de la possibilité d'établir un statut international des marins," question formant le quatrième point de l'ordre du jour de la session de la Conférence tenue à Gênes, et

Après avoir décidé que ces propositions seraient rédigées sous forme d'une recommandation,

adopte la Recommandation ci-après, qui sera soumise à l'examen des Membres de l'Organisation Internationale du Travail, en vue de lui faire porter effet sous forme de loi nationale ou autrement, conformément aux dispositions de la Partie relative au Travail du Traité de Versailles du 28 juin 1919, du Traité de

RECOMMENDATION CONCERNING THE ESTABLISHMENT OF NATIONAL SEAMEN'S CODES.

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Genoa by the Governing Body of the International Labour Office, on the 15th day of June, 1920, and

Having decided upon the adoption of certain proposals with regard to a " Consideration of the possibility of drawing up an International Seamen's Code," which is the fourth item in the agenda for the Genoa meeting of the Conference, and

Having determined that these proposals shall take the form of a recommendation,

adopts the following Recommendation, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the Labour Part of the Treaty of Versailles of 28 June, 1919, of the Treaty of St. Germain

Saint Germain du 10 septembre 1919, du Traité de Neuilly du 27 novembre 1919, et du Traité du Grand Trianon du 4 juin 1920 :

La Conférence Internationale du Travail considérant que, par une codification claire et systématique des lois nationales de chaque pays, les marins du monde entier, qu'ils soient employés à bord de navires appartenant à leur propre pays ou à un pays étranger, pourront mieux connaître leurs droits et leurs devoirs, et considérant que cette codification avancera et facilitera l'établissement d'un Statut International des Marins, recommande à chacun des Membres de l'Organisation Internationale du Travail de procéder à l'incorporation, dans un statut des marins, de toutes ses lois et réglementations relatives aux marins considérés comme tels.

of 10 September, 1919, of the Treaty of Neuilly of 27 November, 1919, and of the Treaty of the Grand Trianon of 4 June, 1920 :

In order that, as a result of the clear and systematic codification of the national law in each country, the seamen of the world, whether engaged on ships of their own or foreign countries, may have a better comprehension of their rights and obligations, and in order that the task of establishing an International Seamen's Code may be advanced and facilitated, the International Labour Conference recommends that each Member of the International Labour Organisation undertake the embodiment in a seamen's code of all its laws and regulations relating to seamen in their activities as such.

SOCIÉTÉ DES NATIONS.

LEAGUE OF NATIONS.

CONFÉRENCE INTERNATIONALE DU TRAVAIL.

INTERNATIONAL LABOUR CONFERENCE.

PROJET DE CONVENTION FIXANT L'ÂGE MINIMUM D'ADMISSION DES ENFANTS AU TRAVAIL MARITIME.

DRAFT CONVENTION FIXING THE MINIMUM AGE FOR ADMISSION OF CHILDREN TO EMPLOYMENT AT SEA.

La Conférence Générale de l'Organisation Internationale du Travail de la Société des Nations,

Convocquée à Gênes par le Conseil d'Administration du Bureau International du Travail, le 15 juin 1920.

Après avoir décidé d'adopter diverses propositions relatives aux " Conditions d'application aux marins de la Convention faite à Washington en novembre dernier à l'effet d'interdire l'admission au travail des enfants âgés de moins de 14 ans," question formant le troisième point de l'ordre du jour de la session de la Conférence tenue à Gênes, et

Après avoir décidé que ces propositions seraient rédigées sous forme d'un projet de convention internationale,

adopte le Projet de Convention ci-après à ratifier par les Membres de l'Organisation Internationale du Travail, conformément aux dispositions de la Partie relative au Travail du Traité de Versailles

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Genoa by the Governing Body of the International Labour Office, on the 15th day of June, 1920, and

Having decided upon the adoption of certain proposals with regard to the " Application to seamen of the Convention adopted at Washington last November prohibiting the employment of children under 14 years of age," which is the third item in the agenda for the Genoa meeting of the Conference, and

Having determined that these proposals shall take the form of a draft international convention,

adopts the following Draft Convention for ratification by the Members of the International Labour Organisation, in accordance with the Labour Part of the Treaty of Versailles of 28 June, 1919, of

du 28 juin 1919, du Traité de Saint-Germain du 10 septembre 1919, du Traité de Neuilly du 27 novembre 1919, et du Traité du Grand Trianon du 4 juin 1920 :

ARTICLE 1.

Pour l'application de la présente Convention, le terme " navire " doit être entendu de tous les bateaux, navires ou bâtiments, quels qu'ils soient, de propriété publique ou privée, effectuant une navigation maritime, à l'exclusion des navires de guerre.

ARTICLE 2.

Les enfants de moins de quatorze ans ne peuvent être employés au travail à bord des navires, autres que ceux sur lesquels sont seuls employés les membres d'une même famille.

ARTICLE 3.

Les dispositions de l'Article 2 ne s'appliqueront pas au travail des enfants sur les *bateaux-écoles*, à la condition que ce travail soit approuvé et surveillé par l'autorité publique.

ARTICLE 4.

Dans le but de permettre le contrôle de l'application des dispositions de la présente Convention, tout capitaine ou patron devra tenir un registre d'inscription ou un rôle d'équipage mentionnant toutes les personnes de moins de seize ans employées à bord, avec l'indication de la date de leur naissance.

ARTICLE 5.

Tout Membre de l'Organisation Internationale du Travail qui ratifie la présente Convention s'engage à l'appliquer à celles de ses colonies ou possessions ou à ceux de ses protectorats qui ne se gouvernent pas pleinement eux-mêmes, sous les réserves suivantes :

(a) Que les dispositions de la Convention ne soient pas rendues inapplicables par les conditions locales;

(b) Que les modifications qui seraient nécessaires pour adapter la Convention aux conditions locales puissent être introduites dans celle-ci.

Chaque Membre devra notifier au Bureau International du Travail sa décision en ce qui concerne chacune de ses colonies ou possessions ou chacun de ses protectorats ne se gouvernant pas pleinement eux-mêmes.

the Treaty of St. Germain of 10 September, 1919, of the Treaty of Neuilly of 27 November, 1919, and of the Treaty of the Grand Trianon of 4 June, 1920.

ARTICLE 1.

For the purpose of this Convention, the term " vessel " includes all ships and boats, of any nature whatsoever, engaged in maritime navigation whether publicly or privately owned; it excludes ships of war.

ARTICLE 2.

Children under the age of fourteen years shall not be employed or work on vessels, other than vessels upon which only members of the same family are employed.

ARTICLE 3.

The provisions of Article 2 shall not apply to work done by children on school-ships or training ships, provided that such work is approved and supervised by public authority.

ARTICLE 4.

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

ARTICLE 5.

Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, protectorates, and possessions which are not fully self-governing.

(a) Except where owing to the local conditions its provisions are inapplicable; or

(b) Subject to such modifications as may be necessary to adapt its provisions to local conditions.

Each Member shall notify to the International Labour Office the action taken in respect to each of its colonies, protectorates, and possessions which are not fully self-governing.

ARTICLE 6.

Les ratifications officielles de la présente Convention, dans les conditions prévues à la Partie XIII du Traité de Versailles du 28 juin 1919, du Traité de Saint-Germain du 10 septembre 1919, du Traité de Neuilly du 27 novembre 1919, et du Traité du Grand Trianon du 4 juin 1920, seront communiquées au Secrétaire Général de la Société des Nations et par lui enregistrées.

ARTICLE 7.

Aussitôt que les ratifications de deux Membres de l'Organisation Internationale du Travail auront été enregistrées au Secrétariat, le Secrétaire Général de la Société des Nations notifiera ce fait à tous les Membres de l'Organisation Internationale du Travail.

ARTICLE 8.

La présente Convention entrera en vigueur à la date où cette notification aura été effectuée par le Secrétaire Général de la Société des Nations; elle ne liera que les Membres qui auront fait enregistrer leur ratification au Secrétariat. Par la suite, cette Convention entrera en vigueur au regard de tout autre Membre à la date où la ratification de ce Membre aura été enregistrée au Secrétariat.

ARTICLE 9.

Sous réserve des dispositions de l'article 8, tout Membre qui ratifie la présente Convention s'engage à appliquer ses dispositions au plus tard le 1^{er} juillet 1922 et à prendre telles mesures qui seront nécessaires pour rendre effectives ces dispositions.

ARTICLE 10.

Tout Membre ayant ratifié la présente Convention peut la dénoncer à l'expiration d'une période de dix années après la date de la mise en vigueur initiale de la Convention, par un acte communiqué au Secrétaire Général de la Société des Nations et par lui enregistré. La dénonciation ne prendra effet qu'une année après avoir été enregistrée au Secrétariat.

ARTICLE 11.

Le Conseil d'Administration du Bureau International du Travail devra, au moins une fois par dix années, présenter à la Conférence Générale un rapport sur l'application de la présente Convention et décidera s'il y a lieu d'inscrire à l'ordre

ARTICLE 6.

The formal ratifications of this Convention under the conditions set forth in Part XIII of the Treaty of Versailles of 28 June, 1919, of the Treaty of St. Germain of 10 September, 1919, of the Treaty of Neuilly of 27 November, 1919, and of the Treaty of the Grand Trianon of 4 June, 1920, shall be communicated to the Secretary-General of the League of Nations for registration.

ARTICLE 7.

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation.

ARTICLE 8.

This Convention shall come into force at the date on which such notification is issued by the Secretary-General of the League of Nations, but it shall then be binding only upon those Members which have registered their ratifications with the Secretariat. Thereafter this Convention will come into force for any other Member at the date on which its ratification is registered with the Secretariat.

ARTICLE 9.

Subject to the provisions of Article 8, each Member which ratifies this Convention agrees to bring its provisions into operation not later than 1 July, 1922, and to take such action as may be necessary to make these provisions effective.

ARTICLE 10.

A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

ARTICLE 11.

At least once in ten years the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention, and shall consider the desirability of placing on the agenda of

du jour de la Conférence la question de la revision ou de la modification de la dite Convention.

the Conference the question of its revision or modification.

ARTICLE 12.

Les textes français, et anglais de la présente Convention feront foi l'un et l'autre.

ARTICLE 12.

The French and English texts of this Convention shall both be authentic.

SOCIÉTÉ DES NATIONS.

LEAGUE OF NATIONS.

CONFÉRENCE INTERNATIONALE DU TRAVAIL.

INTERNATIONAL LABOUR CONFERENCE.

RECOMMANDATION CONCERNANT L'ASSURANCE DES MARINS CONTRE LE CHÔMAGE.

RECOMMENDATION CONCERNING UNEMPLOYMENT INSURANCE FOR SEAMEN.

La Conférence Générale de l'Organisation Internationale du Travail de la Société de Nations.

Convoquée à Gênes par le Conseil d'Administration du Bureau International du Travail, le 15 juin 1920.

The General Conference of the International Labour Organisation of the League of Nations.

Having been convened at Genoa by the Governing Body of the International Labour Office, on the 15th day of June, 1920, and

Après avoir décidé d'adopter diverses propositions relatives au "Contrôle des conditions d'engagement des marins; placement; conditions d'application aux marins de la Convention et des Recommandations faites à Washington au mois de novembre dernier au sujet du chômage et de l'assurance contre le chômage," question formant le deuxième point de l'ordre du jour de la session de la Conférence tenue à Gênes, et

Having decided upon the adoption of certain proposals with regard to the "Supervision of articles of agreement. Provision of facilities for finding employment for seamen. Application to seamen of the Convention and Recommendations adopted at Washington in November last in regard to unemployment and unemployment insurance," which is the second item in the agenda for the Genoa meeting of the Conference, and

Après avoir décidé que ces propositions seraient rédigées sous forme de recommandation.

Having determined that these proposals shall take the form of a recommendation,

adopte la Recommandation ci-après, qui sera soumise à l'examen des Membres de l'Organisation Internationale du Travail en vue de lui faire porter effet sous forme de loi nationale ou autrement conformément aux dispositions de la Partie relative au Travail du Traité de Versailles du 28 juin 1919, du Traité de St. Germain du 10 septembre 1919, du Traité de Neuilly du 27 novembre 1919, et du Traité du Grand Trianon du 4 juin 1920

adopts the following Recommendation, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the Labour Part of the Treaty of Versailles of 28 June, 1919, of the Treaty of St. Germain, of 10 September, 1919, of the Treaty of Neuilly of 27 November, 1919, and of the Treaty of the Grand Trianon of 4 June, 1920:

La Conférence Générale, dans le but d'assurer aux marins l'application de la III^{ème} partie de la Recommandation relative au chômage adoptée à Washington le 28 novembre 1919, recommande que chaque Membre de l'Organisation Inter-

The General Conference, with a view to securing the application to seamen of Part III of the Recommendation concerning Unemployment adopted at Washington on 28 November, 1919, recommends that each Member of the Inter-

nationale du Travail organise pour les marins un système effectif d'assurance contre le chômage résultant de naufrage ou de toute autre cause, soit au moyen d'un régime d'assurance gouvernementale, soit au moyen de subventions accordées par le Gouvernement aux organisations professionnelles dont les statuts prévoient en faveur de leurs membres le paiement d'indemnités de chômage.

national Labour Organisation should establish for seamen an effective system of insurance against unemployment arising out of ship-wreck or any other cause, either by means of Government insurance or by means of Government subventions to industrial organisations whose rules provide for the payment of benefits to their unemployed members.

SOCIÉTÉ DES NATIONS.

LEAGUE OF NATIONS.

CONFÉRENCE INTERNATIONALE DU TRAVAIL.
INTERNATIONAL LABOUR CONFERENCE.

PROJET DE CONVENTION CONCERNANT
L'INDEMNITÉ DE CHÔMAGE EN CAS DE
PERTE PAR NAUFRAGE.

DRAFT CONVENTION CONCERNING UNEMPLOYMENT
INDEMNITY IN CASE OF LOSS
OR FOUNDERING OF THE SHIP.

La Conférence Générale de l'Organisation Internationale du Travail de la Société des Nations,

Convoquée à Gênes par le Conseil d'Administration du Bureau International du Travail, le 15 juin 1920.

Après avoir décidé d'adopter diverses propositions relatives au "Contrôle des conditions d'engagement des marins; placement; conditions d'application aux marins de la Convention et des Recommandations faites à Washington au mois de novembre dernier au sujet du chômage et de l'assurance contre le chômage," question formant le deuxième point de l'ordre du jour de la Conférence tenue à Gênes, et

Après avoir décidé que ces propositions seraient rédigées sous forme d'un projet de convention internationale,

adopte le Projet de Convention ci-après à ratifier par les Membres de l'Organisation Internationale du Travail, conformément aux dispositions de la Partie relative au Travail du Traité de Versailles du 28 juin 1919, du Traité de Saint-Germain du 10 Septembre 1919, du Traité de Neuilly du 27 novembre 1919, et du Traité du Grand Trianon du 4 juin 1920 :

ARTICLE 1.

Pour l'application de la présente Convention, le terme "marins" est appli-

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Genoa by the Governing Body of the International Labour Office, on the 15th day of June, 1920, and

Having decided upon the adoption of certain proposals with regard to the "Supervision of articles of agreement. Provision of facilities for finding employment for seamen. Application to seamen of the Convention and Recommendations adopted at Washington in November last in regard to unemployment and unemployment insurance," which is the second item in the agenda for the Genoa meeting of the Conference, and

Having determined that these proposals shall take the form of a draft international convention,

adopts the following Draft Convention for ratification by the Members of the International Labour Organisation, in accordance with the Labour Part of the Treaty of Versailles of 28 June, 1919, of the Treaty of St. Germain of 10 September, 1919, of the Treaty of Neuilly of 27 November, 1919, and of the Treaty of the Grand Trianon of 4 June, 1920 :

ARTICLE 1.

For the purpose of this Convention, the term "seamen" includes all persons em-

able à toutes les personnes employées à bord de tout navire effectuant une navigation maritime.

Pour l'application de la présente Convention, le terme " navire " doit être entendu de tous les bateaux, navires ou bâtiments, quels qu'ils soient, de propriété publique ou privée, effectuant une navigation maritime, à l'exclusion des navires de guerre.

ARTICLE 2.

En cas de perte par naufrage d'un navire quelconque, l'armateur, ou la personne avec laquelle le marin a passé un contrat pour servir à bord du navire, devra payer à chacun des marins employés sur ce navire une indemnité pour faire face au chômage résultant de la perte par naufrage du navire.

Cette indemnité sera payée pour tous les jours de la période effective de chômage du marin au taux du salaire payable en vertu du contrat, mais le montant total de l'indemnité payable à chaque marin en vertu de la présente Convention pourra être limité à deux mois de salaire.

ARTICLE 3.

Ces indemnités jouiront des mêmes privilèges que les arrérages de salaires gagnés pendant le service et les marins pourront avoir recours pour les recouvrer aux mêmes procédés que pour ces arrérages.

ARTICLE 4.

Tout Membre de l'Organisation Internationale du Travail qui ratifie la présente Convention s'engage à l'appliquer à celles de ses colonies ou possessions ou à ceux de ses protectorats qui ne se gouvernent pas pleinement eux-mêmes, sous les réserves suivantes :

(a) Que les dispositions de la Convention ne soient pas rendues inapplicables par les conditions locales;

(b) Que les modifications qui seraient nécessaires pour adapter la Convention aux conditions locales puissent être introduites dans celle-ci.

Chaque Membre devra notifier au Bureau International du Travail sa décision en ce qui concerne chacune de ses colonies ou possessions ou chacun de ses protectorats ne se gouvernant pas pleinement eux-mêmes.

ARTICLE 5.

Les ratifications officielles de la présente Convention dans les conditions prévues à la Partie XIII du Traité de Versailles du 28 juin 1919, du Traité de Saint-Germain du 10 septembre 1919, du

ployed on any vessel engaged in maritime navigation.

For the purpose of this Convention, the term " vessel " includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned; it excludes ships of war.

ARTICLE 2.

In every case of loss or foundering of any vessel, the owner or person with whom the seaman has contracted for service on board the vessel shall pay to each seaman employed thereon an indemnity against unemployment resulting from such loss or foundering.

This indemnity shall be paid for the days during which the seaman remains in fact unemployed at the same rate as the wages payable under the contract, but the total indemnity payable under this Convention to any one seaman may be limited to two months' wages.

ARTICLE 3.

Seamen shall have the same remedies for recovering such indemnities as they have for recovering arrears of wages earned during the service.

ARTICLE 4.

Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, protectorates and possessions which are not fully self-governing :

(a) Except where owing to the local conditions its provisions are inapplicable; or

(b) Subject to such modifications as may be necessary to adapt its provisions to local conditions.

Each Member shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates and possessions which are not fully self-governing.

ARTICLE 5.

The formal ratifications of this Convention, under the conditions set forth in Part XIII of the Treaty of Versailles of 28 June, 1919, of the Treaty of St. Germain of 10 September, 1919, of the Treaty

Traité de Neuilly du 27 novembre 1919, et du Traité du Grand Trianon du 4 juin 1920, seront communiquées au Secrétaire Général de la Société des Nations et par lui enregistrées.

ARTICLE 6.

Aussitôt que les ratifications de deux Membres de l'Organisation Internationale du Travail auront été enregistrées au Secrétariat, le Secrétaire Général de la Société des Nations notifiera ce fait à tous les Membres de l'Organisation Internationale du Travail.

ARTICLE 7.

La présente Convention entrera en vigueur à la date où cette notification aura été effectuée par le Secrétaire Général de la Société des Nations; elle ne liera que les Membres qui auront fait enregistrer leur ratification au Secrétariat. Par la suite, la présente Convention entrera en vigueur au regard de tout autre Membre, à la date où la ratification de ce Membre aura été enregistrée au Secrétariat.

ARTICLE 8.

Sous réserve des dispositions de l'article 7, tout Membre qui ratifie la présente Convention s'engage à appliquer ses dispositions au plus tard le 1^{er} juillet 1922, et à prendre telles mesures qui seront nécessaires pour rendre effectives ces dispositions.

ARTICLE 9.

Tout Membre ayant ratifié la présente Convention peut la dénoncer à l'expiration d'une période de cinq années après la date de la mise en vigueur initiale de la Convention, par un acte communiqué au Secrétaire Général de la Société des Nations et par lui enregistré. La dénonciation ne prendra effet qu'une année après avoir été enregistrée au Secrétariat.

ARTICLE 10.

Le Conseil d'Administration du Bureau International du Travail devra, au moins une fois par dix années, présenter à la Conférence Générale un rapport sur l'application de la présente Convention et décidera s'il y a lieu d'inscrire à l'ordre du jour de la Conférence la question de la révision ou de la modification de la dite Convention.

ARTICLE 11.

Les textes français et anglais de la présente Convention feront foi l'un et l'autre.

of Neuilly of 27 November, 1919, and of the Treaty of the Grand Trianon of 4 June, 1920, shall be communicated to the Secretary-General of the League of Nations for registration.

ARTICLE 6.

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the Secretariat, the Secretary General of the League of Nations shall so notify all the Members of the International Labour Organisation.

ARTICLE 7.

This Convention shall come into force at the date on which such notification is issued by the Secretary General of the League of Nations, and it shall then be binding only upon those Members which have registered their ratifications with the Secretariat. Thereafter this Convention will come into force for any other Member at the date on which its ratification is registered with the Secretariat.

ARTICLE 8.

Subject to the provisions of Article 7, each Member which ratifies this Convention agrees to bring its provisions into operation not later than 1 July, 1922, and to take such action as may be necessary to make these provisions effective.

ARTICLE 9.

A Member which has ratified this Convention may denounce it after the expiration of five years from the date on which the Convention first comes into force, by an act communicated to the Secretary General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

ARTICLE 10.

At least once in ten years, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention, and shall consider the desirability of placing on the agenda of the Conference the question of its revision or modification.

ARTICLE 11.

The French and English texts of this Convention shall both be authentic.

CONFÉRENCE INTERNATIONALE DU TRAVAIL.

INTERNATIONAL LABOUR CONFERENCE.

PROJET DE CONVENTION CONCERNANT LE
PLACEMENT DES MARINS.DRAFT CONVENTION FOR ESTABLISHING
FACILITIES FOR FINDING EMPLOYMENT
FOR SEAMEN.

La Conférence Général de l'Organisation Internationale du Travail de la Société des Nations,

Convoquée à Gênes par le Conseil d'Administration du Bureau International du Travail, le 15 juin 1920,

Après avoir décidé d'adopter diverses propositions relatives au " Contrôle des conditions d'engagement des marins; placement; conditions d'application aux marins de la Convention et des Recommandations faites à Washington au mois de novembre dernier au sujet du chômage, et de l'assurance contre le chômage," question formant le deuxième point de l'ordre du jour de la session de la Conférence tenue à Gênes, et

Après avoir décidé que ces propositions seraient rédigées sous forme d'un projet de convention internationale,

adopte le Projet de Convention ci-après à ratifier par les Membres de l'Organisation Internationale du Travail, conformément aux dispositions de la Partie relative au Travail du Traité de Versailles du 28 juin 1919, du Traité de Saint-Germain du 10 septembre 1919, du Traité de Neuilly du 27 novembre 1919, et du Traité du Grand Trianon du 4 juin 1920 :

ARTICLE 1.

Pour l'application de la présente Convention, le terme " marins " comprend toutes les personnes employées comme membres de l'équipage à bord de navires effectuant une navigation maritime, à l'exclusion des officiers.

ARTICLE 2.

Le placement des marins ne peut faire l'objet d'un commerce exercé dans un but lucratif par aucune personne, société ou établissement. Aucune opération de placement ne peut donner lieu de la part des marins d'aucun navire au paiement d'une rémunération quelconque, directe ou indirecte, à une personne, société ou établissement.

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Genoa by the Governing Body of the International Labour Office, on the 15th day of June, 1920, and

Having decided upon the adoption of certain proposals with regard to the " Supervision of Articles of agreement. Provision of facilities for finding employment for seamen. Application to seamen of the Convention and Recommendations adopted at Washington in November last in regard to unemployment and unemployment insurance," which is the second item in the agenda for the Genoa meeting of the Conference, and

Having determined that these proposals shall take the form of a draft international convention,

adopts the following Draft Convention for ratification by the Members of the International Labour Organisation, in accordance with the Labour Part of the Treaty of Versailles of 28 June, 1919, of the Treaty of St. Germain of 10 September, 1919, of the Treaty of Neuilly of 27 November, 1919, and of the Treaty of the Grand Trianon of 4 June, 1920 :

ARTICLE 1.

For the purpose of this Convention the term " seamen " includes all persons, except officers, employed as members of the crew on vessels engaged in maritime navigation.

ARTICLE 2.

The business of finding employment for seamen shall not be carried on by any person, company or other agency, as a commercial enterprise for pecuniary gain; nor shall any fees be charged directly or indirectly by any person, company or other agency, for finding employment for seamen on any ship.

Dans chaque pays la loi comportera des sanctions pénales pour toute violation des dispositions du présent article.

The law of each country shall provide punishment for any violation of the provisions of this Article.

ARTICLE 3.

Par dérogation aux dispositions de l'article 2, toute personne, société ou établissement exerçant actuellement dans un but lucratif le commerce du placement peut être admis temporairement, par autorisation du Gouvernement à continuer ce commerce, à condition que ses opérations soient soumises à un contrôle du Gouvernement sauve-gardant les droits de toutes les parties intéressées.

Chaque Membre ratifiant la présente Convention s'engage à prendre toutes mesures nécessaires pour abolir le plus rapidement possible le commerce du placement des marins exercé dans un but lucratif.

ARTICLE 4.

Chaque Membre ratifiant la présente Convention devra veiller à ce qu'il soit organisé et entretenu un système, efficace et répondant aux besoins, d'offices gratuits de placement pour les marins. Ce système pourra être organisé et maintenu :

(1) soit par des associations représentatives des armateurs et des marins agissant en commun sous le contrôle d'une autorité centrale;

(2) soit, en l'absence d'une action combinée de cette nature, par l'Etat lui-même.

Les opérations de ces offices de placement seront conduites par des personnes possédant une expérience maritime pratique.

Lorsqu'il coexiste des offices de placement de types divers, des mesures doivent être prises pour coordonner leur action sur une base nationale.

ARTICLE 5.

Il sera constitué des comités composés d'un nombre égal de représentants des armateurs et des marins, qui seront consultés pour tout ce qui concerne le fonctionnement de ces offices.

Pour le reste, il appartiendra au Gouvernement de chaque pays de préciser les pouvoirs de ces comités, en ce qui concerne notamment le choix de leur président en dehors de leurs membres, leur assujettissement au contrôle de l'Etat et la faculté de recevoir l'assistance de personnes s'intéressant au bien-être des marins.

ARTICLE 3.

Notwithstanding the provisions of Article 2, any person, company or agency, which has been carrying on the work of finding employment for seamen as a commercial enterprise for pecuniary gain, may be permitted to continue temporarily under Government licence, provided that such work is carried on under Government inspection and supervision, so as to safeguard the rights of all concerned.

Each Member which ratifies this Convention agrees to take all practicable measures to abolish the practice of finding employment for seamen as a commercial enterprise for pecuniary gain as soon as possible.

ARTICLE 4.

Each Member which ratifies this Convention agrees that there shall be organised and maintained an efficient and adequate system of public employment offices for finding employment for seamen without charge. Such system may be organised and maintained, either :

(1) by representative associations of shipowners and seamen jointly under the control of a central authority, or,

(2) in the absence of such joint action, by the State itself.

The work of all such employment offices shall be administered by persons having practical maritime experience.

Where such employment offices of different types exist, steps shall be taken to co-ordinate them on a national basis.

ARTICLE 5.

Committees consisting of an equal number of representatives of shipowners and seamen shall be constituted to advise on matters concerning the carrying on of these offices; the Government in each country may make provision for further defining the powers of these committees, particularly with reference to the committees' selection of their chairmen from outside their own membership, to the degree of State supervision, and to the assistance which such committees shall have from persons interested in the welfare of seamen.

ARTICLE 6.

Au cours des opérations de placement, le marin doit conserver le droit de choisir son navire et l'armateur le droit de choisir son équipage.

ARTICLE 7.

Le contrat d'engagement des marins doit contenir toutes les garanties nécessaires pour la protection de toutes les parties intéressées, et il sera donné aux marins toutes facilités pour examiner ce contrat avant et après signature.

ARTICLE 8.

Chaque Membre ratifiant la présente Convention prendra des mesures pour que les facilités pour le placement des marins prévues par la présente Convention soient, au besoin en recourant à des offices publics, à la disposition des marins de tous les pays ratifiant la présente Convention, sous la réserve que les conditions du travail soient approximativement les mêmes.

ARTICLE 9.

Il appartiendra à chaque pays de décider s'il adoptera ou non des dispositions analogues à celles de la présente Convention en ce qui concerne les officiers de pont et les officiers mécaniciens.

ARTICLE 10.

Tout Membre qui ratifiera la présente Convention devra communiquer au Bureau International du Travail toutes les informations, statistiques ou autres, dont il pourra disposer, en ce qui concerne le chômage des marins et le fonctionnement de ses établissements de placement pour les marins.

Il appartiendra au Bureau International du Travail d'assurer, d'accord avec les Gouvernements et les organisations intéressées dans chaque pays, la co-ordination des divers systèmes nationaux de placement des marins.

ARTICLE 11.

Tout Membre de l'Organisation Internationale du Travail qui ratifie la présente Convention s'engage à l'appliquer à celles de ses colonies ou possessions ou à ceux de ses protectorats qui ne se gouvernent pas pleinement eux-mêmes, sous les réserves suivantes :

(a) Que les dispositions de la Convention ne soient pas rendues inapplicables par les conditions locales;

ARTICLE 6.

In connection with the employment of seamen, freedom of choice of ship shall be assured to seamen and freedom of choice of crew shall be assured to shipowners.

ARTICLE 7.

The necessary guarantees for protecting all parties concerned shall be included in the contract of engagement or articles of agreement, and proper facilities shall be assured to seamen for examining such contract or articles before and after signing.

ARTICLE 8.

Each Member which ratifies this Convention will take steps to see that the facilities for employment of seamen provided for in this Convention shall, if necessary by means of public offices, be available for the seamen of all countries which ratify this Convention, and where the industrial conditions are generally the same.

ARTICLE 9.

Each country shall decide for itself whether provisions similar to those in this Convention shall be put in force for deck-officers and engineer-officers.

ARTICLE 10.

Each Member which ratifies this Convention shall communicate to the International Labour Office all available information, statistical or otherwise, concerning unemployment among seamen and concerning the work of its seamen's employment agencies.

The International Labour Office shall take steps to secure the co-ordination of the various national agencies for finding employment for seamen, in agreement with the Governments or organisations concerned in each country.

ARTICLE 11.

Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, protectorates and possessions which are not fully self-governing.

(a) Except where owing to the local conditions its provisions are inapplicable; or

(b) Que les modifications qui seraient nécessaires pour adapter la Convention aux conditions locales puissent être introduites dans celle-ci.

Chaque Membre devra notifier au Bureau International du Travail sa décision en ce qui concerne chacune de ses colonies ou possessions ou chacun de ses protectorats ne se gouvernant pas pleinement eux-mêmes.

ARTICLE 12.

Les ratifications officielles de la présente Convention, dans les conditions prévues à la Partie XIII du Traité de Versailles du 28 juin 1919, du Traité de St.-Germain du 10 septembre 1919, du Traité de Neuilly du 27 novembre 1919, et du Traité du Grand Trianon du 4 juin 1920, seront communiquées au Secrétaire Général de la Société des Nations et par lui enregistrées.

ARTICLE 13.

Aussitôt que les ratifications de deux Membres de l'Organisation Internationale du Travail auront été enregistrées au Secrétariat, le Secrétaire Général de la Société des Nations notifiera ce fait à tous Membres de l'Organisation Internationale du Travail.

ARTICLE 14.

La présente Convention entrera en vigueur à la date où cette notification aura été effectuée par le Secrétaire Général de la Société des Nations; elle ne liera que les Membres qui auront fait enregistrer leur ratification au Secrétariat. Par la suite, la présente Convention entrera en vigueur au regard de tout autre Membre à la date où la ratification de ce Membre aura été enregistrée au Secrétariat.

ARTICLE 15.

Sous réserve des dispositions de l'Article 14, tout Membre qui ratifie la présente Convention s'engage à appliquer ses dispositions au plus tard le 1^{er} juillet 1922, et à prendre telles mesures qui seront nécessaires pour rendre effectives ces dispositions.

ARTICLE 16.

Tout Membre ayant ratifié la présente Convention peut la dénoncer à l'expiration d'une période de cinq années après la date de la mise en vigueur initiale de la Convention, par un acte communiqué au Secrétaire Général de la Société des

(b) Subject to such modifications as may be necessary to adapt its provisions to local conditions.

Each Member shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates and possessions which are not fully self-governing.

ARTICLE 12.

The formal ratifications of this Convention, under the conditions set forth in Part XIII of the Treaty of Versailles of 28 June, 1919, of the Treaty of St. Germain of 10 September, 1919, of the Treaty of Neuilly of 27 November, 1919, and of the Treaty of the Grand Trianon of 4 June, 1920, shall be communicated to the Secretary General of the League of Nations for registration.

ARTICLE 13.

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the Secretariat, the Secretary General of the League of Nations shall so notify all the Members of the International Labour Organisations.

ARTICLE 14.

This Convention shall come into force at the date on which such notification is issued by the Secretary General of the League of Nations, and it shall then be binding only upon those Members which have registered their ratifications with the Secretariat. Thereafter this Convention will come into force for any other Member at the date on which its ratification is registered with the Secretariat.

ARTICLE 15.

Subject to the provisions of Article 14, each Member which ratifies this Convention agrees to bring its provisions into operation not later than 1 July, 1922, and to take such action as may be necessary to make these provisions effective.

ARTICLE 16.

A Member which has ratified this Convention may denounce it after the expiration of five years from the date on which the Convention first comes into force, by an act communicated to the Secretary General of the League of Nations for

Nations et par lui enregistré. La dénonciation ne prendra effet qu'une année après avoir été enregistrée au Secrétariat.

ARTICLE 17.

Le Conseil d'Administration du Bureau International du Travail devra, au moins une fois par dix années, présenter à la Conférence Générale un rapport sur l'application de la présente Convention et décidera s'il y a lieu d'inscrire à l'ordre du jour de la Conférence la question de la revision ou de la modification de la dite Convention.

ARTICLE 18.

Les textes français et anglais de la présente Convention feront foi l'un et l'autre.

registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

ARTICLE 17.

At least once in ten years, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention, and shall consider the desirability of placing on the agenda of the Conference the question of its revision or modification.

ARTICLE 18.

The French and English texts of this Convention shall both be authentic.